

MORROW COUNTY BOARD OF COMMISSIONERS MEETING AGENDA

Wednesday, April 8, 2020 at 9:00 a.m.
Bartholomew Building Upper Conference Room
110 N. Court St., Heppner, Oregon
See Electronic Meeting Information on Page 2

AMENDED – SEE PAGE 2

1. **Call to Order and Pledge of Allegiance - 9:00 a.m.**
2. **City/Citizen Comments:** Individuals may address the Board on topics not on the agenda
3. **Open Agenda:** The Board may introduce subjects not on the agenda
4. **Consent Calendar**
 - a. Accounts Payable, April 9th; Retirement Taxes, April 6th, \$22,564.59
5. **Business Items**
 - a. High-Speed Internet Access to Morrow County Citizens – Task Force (Chair Lindsay)
 - b. Community Development Director Update (Gregg Zody, Director)
 - c. Enterprise Zone 3
 - d. Irrigon Building Update (Darrell J. Green, Administrator)
 - e. Board of Commissioners Meeting Calendar – April 29th
 - f. Morrow County Government Command Center Update
 - g. Resolution No. R-2020-5: Public Employees Retirement System (PERS) Application (Kate Knop, Finance Director)
6. **Department Reports - Written**
 - a. Planning Department Monthly Report
 - b. Justice Court Quarterly Report
 - c. Veterans Services Office Quarterly Report
7. **Correspondence**
8. **Commissioner Reports**
9. **Executive Session:** Pursuant to ORS 192.660(2)(d) - To conduct deliberations with persons designated by the governing body to carry on labor negotiations
10. **Signing of documents**
11. **Adjournment**

Agendas are available every Friday on our website (www.co.morrow.or.us/boc under “Upcoming Events”). Meeting Packets can also be found the following Monday.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Roberta Lutchter at (541) 676-5613.

Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Board may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend. Executive sessions are closed to the public; however, with few exceptions and under specific guidelines, are open to the

media. The Board may recess for lunch depending on the anticipated length of the meeting and the topics on the agenda. If you have anything that needs to be on the agenda, please notify the Board office before noon of the preceding Friday. If something urgent comes up after this publication deadline, please notify the office as soon as possible. If you have any questions about items listed on the agenda, please contact Darrell J. Green, County Administrator at (541) 676-2529.

Electronic Meeting Information

Morrow County Board of Commissioners is inviting you to a scheduled Zoom meeting. Join Zoom Meeting

<https://zoom.us/j/5416762546>

PASSWORD: 97836

Meeting ID: 541-676-2546

Zoom Call-In Numbers for Audio Only:

- 1-346-248-7799, Meeting ID: 541 676 2546#
- 1-669-900-6833, Meeting ID: 541 676 2546#
- 1-312-626-6799, Meeting ID: 541-676-2546#
- 1-929-436-2866, Meeting ID: 541-676-2546#
- 1-253-215-8782, Meeting ID: 541-676-2546#
- 1-301-715-8592, Meeting ID: 541-676-2546#

Meeting ID: 541-676-2546

Find your local number: <https://zoom.us/u/abD3eWKYVW>

Meeting Center Phone Conference Option (Please only use this if Zoom video or audio is not available):

To join the audio conference, dial 541-676-5692, then enter access code: **92345#**



AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 1 of 2)

(For BOC Use)
Item #
5g

Please complete for each agenda item submitted for consideration by the Board of Commissioners
(See notations at bottom of form)

Presenter at BOC: Kate Knop
Department: Finance Department
Short Title of Agenda Item:

Phone Number (Ext): ext 5302
Requested Agenda Date: 04/08/2020

(No acronyms please)

Resolution R-2020-5 - Participation in Oregon Public Employee Retirement System (PERS)

This Item Involves: (Check all that apply for this meeting.)

- Order or Resolution
Ordinance/Public Hearing:
1st Reading 2nd Reading
Public Comment Anticipated:
Estimated Time:
Document Recording Required
Contract/Agreement
Appointments
Update on Project/Committee
Consent Agenda Eligible
Discussion & Action
Estimated Time: 15 Minutes
Purchase Pre-Authorization
Other

N/A

Purchase Pre-Authorizations, Contracts & Agreements

Contractor/Entity:
Contractor/Entity Address:
Effective Dates - From: Through:
Total Contract Amount: Budget Line:
Does the contract amount exceed \$5,000? Yes No

Reviewed By:

Department Director Required for all BOC meetings
Administrator Required for all BOC meetings
County Counsel *Required for all legal documents
Finance Office *Required for all contracts; other items as appropriate.
Human Resources *If appropriate

*Allow 1 week for review (submit to all simultaneously). When each office has notified the submitting department of approval, then submit the request to the BOC for placement on the agenda.

Note: All other entities must sign contracts/agreements before they are presented to the Board of Commissioners (originals preferred). Agendas are published each Friday afternoon, so requests must be received in the BOC Office by 1:00 p.m. on the Friday prior to the Board's Wednesday meeting. Once this form is completed, including County Counsel, Finance and HR review/sign-off (if appropriate), then submit it to the Board of Commissioners Office.

AGENDA ITEM COVER SHEET

Morrow County Board of Commissioners

(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

The attached Resolution R-2020-5 is a result of negotiation terms agreed upon with Teamsters Local 223 representing twenty - five Sheriff Office County Employees. The resolution establishes that Morrow County is an employer of public employees, and wishes to begin participating as a PERS-covered employer.

The Resolution reflects the Board of Commissioners intent to determine and establish parameters for the future application of the PERS program for the Sheriff's Office County Employees who are represented by Teamster Local 223 and are hired on or after July 1, 2020.

The approval of the Resolution is time sensitive and will be submitted with the PERS application with an effective date of July 1, 2020. The PERS Board requests the application be submitted promptly for their review on May 31, 2020.

2. FISCAL IMPACT:

The County intends to submit 9% contribution of employer and 6% contribution of employee paid using the pre-tax method. There is a probationary waiting period for new Sheriff's Office Employees hired on or after July 1, 2020

3. SUGGESTED ACTION(S)/MOTION(S):

Move to approve Resolution R-2020-5 establishing participation in Oregon PERS, the Public Employee Retirement System, for Teamster Local 223 Members who qualify and are hired on or after July 1, 2020.

Attach additional background documentation as needed.

**BEFORE THE BOARD OF COMMISSIONERS FOR
MORROW COUNTY, OREGON**

IN THE MATTER OF)
ESTABLISHING A PERS PROGRAM) RESOLUTION NO. R-2020-5
BEGINNING JULY 1, 2020)

A RESOLUTION ESTABLISHING PARTICIPATION IN OREGON PERS, THE PUBLIC EMPLOYEE RETIREMENT SYSTEM.

WHEREAS, Morrow County is an employer of public employees,

WHEREAS, the County wishes to begin participating as a PERS-covered employer,

WHEREAS, the Board of Commissioners must determine and establish parameters for the future application of the PERS program for the Sheriff's Office County Employees who are represented by Teamster Local 223 and are hired on or after July 1, 2020,

NOW, THEREFORE, the Board of Commissioners hereby resolves as follows:

- 1) The County intends to join PERS,
- 2) The County authorizes the Finance Director to represent it and establish a coverage agreement with PERS,
- 3) The County shall extend PERS coverage to all Sheriff's Office employees who are represented by Teamsters Local 223 who work in qualifying positions and are hired on or after July 1, 2020,
- 4) The County will participate in the Oregon Public Service Retirement Program (OPSRP) Pension Program and the OPSRP Individual Account Program (IAP),
- 5) The County will participate in the PERS Chapter 238 Program for members of that program that it currently employs or may hire in the future in the class(es) designated for coverage to the extent set forth above;
- 6) The County intends to participate in the unused sick leave program pursuant to ORS 238.350,
- 7) The County does not intend to participate in the State and Local Government Rate Pool (SLGRP),
- 8) The County intends to submit the six percent (6%) IAP contribution on the employees' behalf using the employer-paid pre-tax (EPPT) method,
- 9) The County proposes to commence participation beginning July 1, 2020.

Dated this 8th day of April 2020.

**MORROW COUNTY BOARD OF
COMMISSIONERS
MORROW COUNTY, OREGON**

Melissa Lindsay, Chair

Don Russell, Commissioner

Jim Doherty, Commissioner

Approved as to Form:

Morrow County Counsel



PLANNING DEPARTMENT

PO Box 40 • 205 Third Street NE
Irrigon, Oregon 97844
(541) 922-4624

MEMORANDUM

To: Morrow County Board of Commissioners
From: Stephanie Case, Interim Planning Director
Date: April 3, 2020
RE: Planning Update

For the month of March, the Planning Department accepted over 30 land use applications and had 2 actions in front of the Planning Commission (socially distanced appropriately) and 1 application for the April Planning Commission meeting. The vast majority of new applications has been for new and replacement housing.

The following represents current work and anticipated actions in the Planning Department:

Energy Development Activities:

Activity continues on the following energy facilities in Morrow County: Wheatridge, Orchard Wind, Shepherds Flat and Boardman-to-Hemingway. Morrow County has received notice from the Oregon Department of Energy that a preliminary Request for Amendment 2 has been submitted for the Carty Generation Station Site Certificate related to the pending shut down of the Boardman Coal Facility. The Planning Department plans to submit formal comment as a reviewing agency. The deadline for requested comments from Morrow County is April 10, 2020. More information can be found at: <https://www.oregon.gov/energy/facilities-safety/facilities/Pages/CGS.aspx>

Code Enforcement:

An update to the Morrow County Code Enforcement Ordinance will happen later this year, which will address junk automobiles with more clarity.

Continued Operations:

As we have adjusted to the recent temporary change in operations, some application forms have been made available on the website and an application has been made with Point and Pay to accept credit card payments. After communicating with the representative at Point and Pay and other departments, the application for service would be under the contract that Morrow County entered into last month (for the Assessor's Office) and we are looking to expand to allow Planning to accept credit card payments. We are just getting the process started and, if necessary, Planning will bring this as a business item for approval from BOC.

On a positive note after the 2020 "March Madness" we welcome Gregg Zody as our new Community Development Director and look forward to working with him on some projects soon!

Stay healthy and safe all!

Steph

Justice Court
Quarterly Report
February 12, 2020

1. Distribution of Fines and Assessments for the months of: January, February, and March 2020.

Please see attached.

2. The transition / Dealing with CIVID-19:

- a. *The Office staff have been phenomenal!!*
- b. *We continue to look for ways to increase efficiencies s of the Court.*
- c. *In an effort to reduce the risks to both the staff and the public , We have installed a wireless intercom at the front door to allow communication without the need for in person contact, and installed a weatherproof envelope box by the payment drop box to assist citizens with keeping their payments together.*
- d. *In the event that we are required to further restrict our contacts with the public, we have started preparing for the ability to have staff work from home by getting a laptop set up to remotely access the Courts programs. And are looking at ways to telephonically conduct traffic court.*
- e. *Attached is the latest Ssixth Judicial District of the State of Oregon, Presiding Judge Order*

IRRIGON IRRIGON COURT
 THIRD & MAIN PO BOX 130
 IRRIGON, OREGON 97844

JCDISS

DISTRIBUTION OF FINES AND ASSESSMENTS
 PAYMENT DATES: 1/01/20 - 01/31/20
 OFFENSE DATES: 00/00/00 - 99/99/99

DOCKET CODE/ DESCRIPTION	TOTAL AMOUNT	CITY SHARE	COURT COSTS	COUNTY SHARE	JAIL ASSESS	STATE SHARE	IDP FEES	LEMLA	SUPPL. ASSESS	ALL OTHER
* SMALL CLAIMS	450.00	.00	450.00	.00	.00	.00	.00	.00	.00	.00
I CITY OF BOARDMA	190.00	.00	.00	170.00	.00	.00	.00	.00	.00	20.00
O COUNTY OFFICER	21779.74	.00	599.00	15839.55	1109.00	.00	.00	.00	146.00	4086.19
T STATE OFFICER	7111.60	.00	366.67	2370.50	399.07	2695.32	.00	.00	48.00	1232.04
Z DUII	2135.00	.00	823.50	1143.50	16.00	.00	.00	.00	2.00	150.00
W STATE WEIGHMAST	70.00	.00	.00	50.00	.00	.00	.00	.00	.00	20.00
V MISD.	2014.50	.00	394.50	845.00	.00	.00	.00	.00	.00	775.00
F MARIJUANA LESS	32.00	.00	.00	.00	.00	.00	.00	.00	.00	32.00
D ANIMAL VIOLATIO	105.00	.00	.00	55.00	.00	.00	.00	.00	.00	50.00
** COLUMN TOTALS **	33887.84 *	.00 *	2633.67 *	20473.55 *	1524.07 *	2695.32 *	.00 *	.00 *	196.00 *	6365.23 *

CITY SHARE BREAKDOWN

FINE SHARE.....	.00
COURT COSTS.....	.00
CLERK COSTS.....	.00
SUPPL ASSESS.....	.00
NON-COST COURT...	.00
COURT SECURITY...	.00
TOTAL CITY	.00 **

COUNTY SHARE BREAKDOWN

FINE SHARE.....	20431.55
COURT COSTS.....	1115.00
CLERK COSTS.....	.00
JAIL 60% .....	.00
SUPPL ASSESS.....	196.00
JAIL HB2562.....	1524.07
NON-COST COURT....	945.67
SMALL CLAIMS.....	.00
COURT SECURITY....	.00
OFFENSE SURCHG....	42.00
ATTORNEY FEES.....	573.00
TOTAL COUNTY	24827.29 **

STATE SHARE BREAKDOWN

FINE SHARE.....	2695.32
UNITARY AS.....	.00
DMV FEES.....	.00
STATE MISC .....	.00
DWS CONV FEE.....	.00
STATE OBLIG .....	.00
VICTIM ASSIST.....	.00
JAIL 40% .....	.00
LEMLA.....	.00
IDP.....	.00
COURT SECURITY....	.00
SECTION 6B-CFA	5635.23
TOTAL STATE	8330.55 **

MISCELLANEOUS OTHER

OTHER.....	.00
COMP. FINES.....	.00
RESTITUTION.....	730.00
REFUNDS.....	10.00
COLL. AGY. ....	.00

I CERTIFY THAT THIS IS A TRUE STATEMENT OF FINES LEVIED AND COLLECTED AND BAIL BONDS FORFEITED IN THIS COURT DURING THE PERIOD STATED ABOVE

SIGNED

TITLE--JUSTICE CT JUDGE DATE 2/06/20

IRRIGON IRRIGON COURT
 THIRD & MAIN PO BOX 130
 IRRIGON, OREGON 97844

JCDIS2

DISTRIBUTION OF FINES AND ASSESSMENTS
 2/01/20 - 2/29/20

DOCKET CODE/ DESCRIPTION	TOTAL AMOUNT	CITY SHARE	COURT COSTS	COUNTY SHARE	JAIL ASSESS	STATE SHARE	IDP FEES	LEMLA	SUPPL. ASSESS	ALL OTHER
* SMALL CLAIMS	88.00	.00	88.00	.00	.00	.00	.00	.00	.00	.00
I CITY OF BOARDMA	586.00	.00	75.00	402.00	36.00	37.00	.00	2.00	4.00	30.00
O COUNTY OFFICER	22129.67	.00	1109.00	15998.36	1030.00	74.00	.00	6.00	132.00	3780.31
T STATE OFFICER	5068.41	.00	449.04	1774.78	226.00	1950.63	.00	2.00	28.00	637.96
Z DUUI	2700.00	.00	815.00	1817.00	16.00	.00	.00	.00	2.00	50.00
V MISD.	3086.50	.00	566.00	2233.50	64.00	.00	.00	.00	8.00	215.00
D ANIMAL VIOLATIO	430.00	.00	.00	319.00	32.00	.00	.00	.00	4.00	75.00
** COLUMN TOTALS **	34088.58 *	.00 *	3102.04 *	22544.64 *	1404.00 *	2061.63 *	.00 *	10.00 *	178.00 *	4788.27 *

CITY SHARE BREAKDOWN

COUNTY SHARE BREAKDOWN

STATE SHARE BREAKDOWN

MISCELLANEOUS OTHER

FINE SHARE.....	.00	FINE SHARE.....	22499.64	FINE SHARE.....	1915.63	OTHER.....	.00
COURT COSTS.....	.00	COURT COSTS.....	1033.00	UNITARY AS.....	146.00	COMP. FINES.....	.00
CLERK COSTS.....	.00	CLERK COSTS.....	.00	DMV FEES.....	.00	RESTITUTION.....	20.00
		JAIL 60%	64.20	STATE MISC .....	.00		
SUPPL ASSESS.....	.00	SUPPL ASSESS.....	178.00	DWS CONV FEE.....	.00		
		JAIL HB2562.....	1297.00	STATE OBLIG .....	.00		
NON-COST COURT...	.00	NON-COST COURT...	1545.54	VICTIM ASSIST.....	.00		
		SMALL CLAIMS.....	.00			REFUNDS.....	3.00
COURT SECURITY...	.00	COURT SECURITY....	.00	JAIL 40%	42.80	COLL. AGY.....	.00
		OFFENSE SURCHG....	45.00	LEMLA.....	10.00		
		ATTORNEY FEES.....	523.50	IDP.....	.00		
				COURT SECURITY....	14.00		
TOTAL CITY	.00 **	TOTAL COUNTY	27185.88 **	SECTION 6B-CFA	4754.27		
				TOTAL STATE	6882.70 **		

I CERTIFY THAT THIS IS A TRUE STATEMENT OF FINES LEVIED AND COLLECTED AND BAIL BONDS FORFEITED IN THIS COURT DURING THE MONTH OF

SIGNED _____

TITLE--JUSTICE CT JUDGE DATE 3/03/20

IRRIGON IRRIGON COURT
 THIRD & MAIN PO BOX 130
 IRRIGON, OREGON 97844

JCDIS2

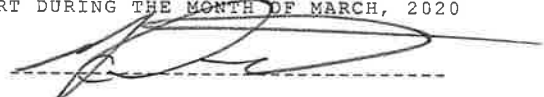
DISTRIBUTION OF FINES AND ASSESSMENTS
 3/01/20 - 3/31/20

DOCKET CODE/ DESCRIPTION	TOTAL AMOUNT	CITY SHARE	COURT COSTS	COUNTY SHARE	JAIL ASSESS	STATE SHARE	IDP FEES	LEMLA	SUPPL. ASSESS	ALL OTHER
* SMALL CLAIMS	88.00	.00	88.00	.00	.00	.00	.00	.00	.00	.00
I CITY OF BOARDMA	171.54	.00	.00	171.54	.00	.00	.00	.00	.00	.00
O COUNTY OFFICER	21120.17	.00	1216.27	15587.40	980.00	35.00	.00	2.00	132.00	3167.50
T STATE OFFICER	4437.74	.00	460.00	1602.14	288.00	1439.60	.00	.00	38.00	610.00
Z DUII	5327.50	.00	2287.00	2831.00	16.00	.00	.00	.00	3.50	190.00
W STATE WEIGHMAST	60.00	.00	.00	60.00	.00	.00	.00	.00	.00	.00
V MISD.	10223.62	.00	568.00	5629.58	134.00	104.00	.00	5.00	12.00	3771.04
F MARIJUANA LESS	32.00	.00	.00	.00	.00	19.00	.00	.00	.00	13.00
D ANIMAL VIOLATIO	220.00	.00	.00	195.00	.00	.00	.00	.00	.00	25.00
** COLUMN TOTALS **	41680.57 *	.00 *	4619.27 *	26076.66 *	1418.00 *	1597.60 *	.00 *	7.00 *	185.50 *	7776.54 *

CITY SHARE BREAKDOWN	COUNTY SHARE BREAKDOWN	STATE SHARE BREAKDOWN	MISCELLANEOUS OTHER
FINE SHARE..... .00	FINE SHARE..... 25564.66	FINE SHARE..... 1458.60	OTHER..... .00
COURT COSTS..... .00	COURT COSTS..... 393.00	UNITARY AS..... 139.00	COMP. FINES..... .00
CLERK COSTS..... .00	CLERK COSTS..... 512.00	DMV FEES..... .00	RESTITUTION..... 3352.54
	JAIL 60% 43.20	STATE MISC ..... .00	
SUPPL ASSESS..... .00	SUPPL ASSESS..... 185.50	DWS CONV FEE..... .00	
	JAIL HB2562..... 1346.00	STATE OBLIG ..... .00	
NON-COST COURT... .00	NON-COST COURT... 1646.27	VICTIM ASSIST..... .00	
	SMALL CLAIMS..... .00	JAIL 40% 28.80	
COURT SECURITY... .00	COURT SECURITY... .00	LEMLA..... 7.00	REFUNDS..... .00
	ATTORNEY FEES..... 2580.00	IDP..... .00	COLL. AGY..... .00
		COURT SECURITY... 7.00	
TOTAL CITY .00 **	TOTAL COUNTY 32270.63 **	SECTION 6B-CFA 4417.00	
		TOTAL STATE 6057.40 **	

I CERTIFY THAT THIS IS A TRUE STATEMENT OF FINES LEVIED AND COLLECTED AND BAIL BONDS FORFEITED IN THIS COURT DURING THE MONTH OF MARCH, 2020

SIGNED



TITLE--JUSTICE CT JUDGE DATE 4/02/20



IN THE SIXTH JUDICIAL DISTRICT OF THE STATE OF OREGON

In the Matter of Chief Justice Order
20-006, as amended March 27,
2020, pertaining to COVID-19 Phase
2 Response

AMENDED
PRESIDING JUDGE ORDER
No. 20-005

COVID-19 PHASED RESPONSE –
COURT OPERATIONS, PHASE 2

THIS PRESIDING JUDGE ORDER AMENDS PJO#20-005 as Previously Amended AND IMPLEMENTS GUIDANCE FOR SOCIAL DISTANCING AND LIMITED OPERATIONS ALLOWED UNDER CHIEF JUSTICE ORDER 20-006 as AMENDED

WHEREAS the Chief Justice has amended and issued the attached Chief Justice Order (CJO) to address the COVID-19 pandemic; and

WHEREAS the Presiding Judge (PJ) has certain authority under state law, including ORS 1.171 which allows the apportionment of caseload and the disposition of judicial business of the circuit court; and

WHEREAS the PJ has issued PJO 20-005, as amended, on Umatilla and Morrow County Circuit Court operations in response to the COVID-19 Level 3 CJO and issued PJO 20-006 with further orders regarding operations of the Morrow County Circuit Court; and

WHEREAS the PJ has authority under ORS 1.180 for safety and security of court facility operations; and

WHEREAS the principal means to defeat the COVID-19 pandemic is to avoid contact with infected persons, and key to that is social distancing; this is accomplished through reduction of in-person court hearings and staggering appearances to avoid social contact and allow for decontamination processes between hearings; and the objective of the CJO is to:

“continue to provide essential services while significantly minimizing the number of judges, court staff, litigants and case participants, interpreters, and members of the public who come into our courthouses and offices. We must do our part to help slow the spread of the COVID-19 virus and to minimize any health

COVID-19 RESPONSE, Phase 2

risks to our communities, while meeting our courts' obligations to the public;" and

WHEREAS the court implemented baseline Level 3 operations through PJO 20-005; this order maintains the objectives of social distancing and reducing in person hearings unless statutorily required and provides additional direction on the processing of essential and non-essential case types as Phase 2 of the court's COVID-19 Pandemic response; and

WHEREAS mandated in-person services (essential proceedings) required by law shall be presented at the Umatilla Circuit Court in Pendleton and the Morrow County Circuit Court in Heppner as safety for staff, judges and the public permits, and services at the Hermiston court facility are closed to the public except for a drop box; and

WHEREAS it is projected in the amended CJO that court operations may begin to normalize in June 2020 and the CJO postpones trials and hearings not deemed essential until after June 1, 2020; and

WHEREAS the PJ will issue separate instructions to staff on docketing of essential and non-essential matters in future phases of Level 3 response and return to normalized operations;

Current Operations

THEREFORE, IT IS ORDERED that the prioritization of trials in Paragraph 2 of the CJO, and prioritization of essential proceedings Paragraph 3, detailing Category 1, 2 and 3 including Treatment Court proceedings are adopted as detailed in the CJO and may be amended with further guidance from the Chief Justice.

IT IS ALSO ORDERED that only trials and hearings deemed essential within the CJO shall be scheduled to begin prior to June 1, 2020 unless otherwise ordered by the PJ pursuant to Paragraph 8.a of the CJO under Phase 2 of Level 3 operations.

- This authority is delegated to Judge C. R. Brauer for in-custody criminal trials pursuant to Paragraph 2.a of the CJO.
- This authority is delegated to Judge E. J. Temple for in-custody juvenile delinquency trials pursuant to Paragraph 2.b of the CJO.
- The PJ reserves authority to make this determination in all other criminal, civil and other case types pursuant to Paragraph 2.c and all Category 1 essential proceedings pursuant to Paragraph 3.a of the CJO.

IT IS FUTURE ORDERED that to the extent possible, in essential proceedings, appearance by telephonic or video transmission is encouraged in deference to in-person appearance by litigants, witnesses and to the extent possible counsel. Category 2 and 3 essential proceedings assume remote means for the hearing. Motion for remote appearance is not required but communication with the court is critical to accommodate this need.

IT IS FURTHER ORDERED that non-essential court and ancillary proceedings described in CJO Paragraph 4, are postponed until no earlier than June 1, 2020. Matters which are filed only and no judicial action thereon is required including but not limited to appeals or transfers from municipal and justice courts, to preserve statutory timelines, will be accepted for filing as provided. Matters which require processing of legal papers will be processed as time and staff allows.

IT IS FURTHER ORDERED that Law Enforcement Officers may cite and release on citations and warrants service and that appearance date shall be no later than 30 days after the date of release, to appear by telephone to 541-278-0341 rather than in-person if the appearance date is earlier than June 1.

IT IS FURTHER ORDERED that Forcible Entry and Detainer (FED) proceedings shall be docketed as provided in Paragraph 5 of the CJO.

IT IS FURTHER ORDERED that to the extent possible, in-person services for assistance with emergent filings by self-represented litigants and payment of fines is provided at the Umatilla County Courthouse in Pendleton and the Morrow County Courthouse, provided Sheriff's Court Security services detailed below are available. Drop boxes are provided at all locations to allow for filing of documents and making payments without proceeding through security screening.

COVID-19 and Weapons Security Screening

PURSUANT TO ORS 1.171 and ORS 1.180 the presiding judge has authority for determining court facility entrance screening policies. CJO 20-006, Paragraph 9.d, specifically grants the PJ authority to direct any person exhibiting symptoms of COVID-19 to leave the courthouse. This authority is hereby delegated to the Trial Court Administrator and members of the Sheriff's Court Security Detail. For this order, "court facility" will have the same definition as found in ORS 166.360. For this purpose, Court Security Officers may ask appropriate questions as part of COVID-19 screening of any persons entering the court facility.

The Umatilla County Courthouse in Pendleton, the Stafford Hansel Government Center Circuit Court (second floor), and the Morrow County Courthouse in Heppner, or any other facility or location where the court conducts its business are court facilities for the use of members of the public to exercise their rights to view proceedings and handle their affairs through the court. There is no right of public access to staff areas or judicial chambers, offices, jury rooms, or conference rooms. Any right of access to public areas may, however, be removed as a result of conduct detrimental to the safety of the court's judicial officers, other officers of the court, its employees, and members of the public.

1. Entrance to court facilities and weapons screening is controlled by order of the PJ and by related order of the Board of Commissioners for the

COVID-19 RESPONSE, Phase 2

County. Firearms are specifically excluded from these premises under ORS 166.370 unless otherwise permitted by separate PJO.

- a. In addition to statutory prohibitions, the following items are barred from court facilities: pocket knives, folding knives, box cutters, multi-tools, sporting sticks, walking sticks (not handicap assistance canes), handcuffs, handcuff keys, replica firearms, or any other item deemed as a possible weapon by Court Security staff. Persons possessing any such item may be required to surrender the item to a Court Security Deputy or to immediately remove the item from the court facility. Any person refusing to comply will be immediately ejected from the court facility with the possible future limitation of their unrestricted access to the court facility.
 - b. Where a court facility security screening station is established, no person will enter any area of the court facility protected by the security screening station without permission from a Court Security Deputy or other authorized county or state employee. Any person not exempted from these requirements by Judicial Rule or Order who desires entry into the protected area of the court facility must submit to the security screening process. The security screening process may include, but is not limited to, magnetometer checks of persons, X-Ray checks of containers and physical checks of containers.
 - c. Any person present in the court facility in possession of a container is subject to the search of that container when requested by Court Security Deputies. The person will have the option of submitting to the search or immediately removing the container in question from the court facility.
 - d. For the purpose of this order, container means any purse, briefcase, bag, backpack, billfold, or other item whose contents are obscured from view.
 - e. For the purpose of this order, screening means the detection of items prohibited from being present in Sixth Judicial District court facilities by Oregon Revised Statutes, Judicial Rule, Judicial Order, or County Commissioner Order.
 - f. For the purpose of this order, screening station means any area in or adjacent to a court facility that controls entry into the court facility or portions of the court facility where such entry is restricted by signing, Court Security Deputies or authorized state or county employees.
2. Detrimental conduct pursuant to this order may include, but is not limited to:

COVID-19 RESPONSE, Phase 2

- a. Direct physical assault or physical harassment upon any person;
 - b. Destruction or theft of court records or posted public notices;
 - c. Vandalism, defacing, burning, or other physical destruction of any device or room within these facilities;
 - d. Intimidation, extortion, coercion, or other forcible conduct aimed at interrupting the court's judicial officers, other officers of the court, and its employees, in the course of their work or at interfering with members of the Bar or of the public in their dealings with the court;
 - e. Any conduct which interferes with or interrupts a court proceeding or court administration;
 - f. Any entrance into an area of these buildings designated off-limits or for employees only;
 - g. Any introduction of noxious odors designed to deny members of the public the use of any public part of these buildings;
 - h. Any attempt, either by fraud or threat, to gain access to confidential court records or material; (9) Any attempt, either by fraud or threat, to gain access to the private office of a judicial officer, the court administrator, or other court officer; or
 - i. Any attempt by a member of the public to deny any other member of the public the use of these buildings.
3. In both counties, COVID-19 screening questions include, but are not limited to, the following:
- Do you have a fever or are you experiencing chills?
 - Are you experiencing a loss of taste or smell?
 - Do you have a cough?
 - Are you experiencing any difficulty breathing or shortness of breath?
 - Within the last 14 days have you had close contact with anyone who has been diagnosed with COVID-19?
4. Court Security Officers may require noninvasive temperature screening for anyone entering the court facility or may visually assess the person's physical appearance regarding presentation as fevered.
- Access to the court facility will be denied to anyone presenting with a fever over 99.9 degrees measured noninvasively, or to anyone who states they have a fever or chills or presents as having fever or chills, or to anyone refusing to consent to noninvasive temperature screening.

COVID-19 RESPONSE, Phase 2

5. Access to the court facility will be denied to anyone answering yes to any of the other screening questions unless entry is authorized by an employee of the state courts designated by the TCA to make such determinations for persons seeking state court access, or unless entry is authorized by an employee of the county designated by their agency to make such determinations for persons seeking access to county services.
6. If a person is granted access to court or county services as described in Paragraph 3 above and declines to wear a protective mask that is approved by Court Security Deputies, they shall be directed to leave the building.
7. While in the courthouse, all persons shall as reasonably as possible adhere to social distancing guidelines. If any person, including attorneys, are unable to adhere to such they may be barred from the courthouse and required to make all appearances by phone.
8. Court Security Deputies and court staff may enforce these requirements and the court may enforce compliance through contempt of court if the person is present in a courtroom without a mask after being advised to wear the mask by Court Security Deputies.
9. No person will be denied access to the court facility without being given the court telephone number – 541-278-0341 – allowing them to conduct their business telephonically.
10. Certain persons are exempted from screening requirements when acting within the scope of their official duties, but shall self-identify as to any of the screening questions to security and individuals with court appearances have a personal responsibility to make other arrangements for appearance by phone:
 - Judges;
 - County Commissioners
 - Attorneys, including any member of the Oregon Bar with Bar identification;
 - Law Enforcement Officers while on duty; and
 - Court and County employees displaying appropriate identification.

IT IS FURTHER ORDERED that objections to the emergency provisions herein are required to be filed in writing as to a specific hearing no later than 2 full court days prior to the scheduled hearing, or if held within two days then 24 hours before the time of the hearing.

COVID-19 RESPONSE, Phase 2

IT IS LASTLY ORDERED that this PJO, unless otherwise amended, shall terminate upon cancellation of the associated CJO and the cessation of the COVID-19 Pandemic.

Dated

April 3, 2020



DANIEL J. HILL
Presiding Judge of the Circuit Court



AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 1 of 2)

(For BOC Use)
Item #
60

Please complete for each agenda item submitted for consideration by the Board of Commissioners
(See notations at bottom of form)

Presenter at BOC: Linda Skendzel
Department: Veterans Services
Short Title of Agenda Item: Quarterly Activity Report
(No acronyms please)

Phone Number (Ext): 541-922-6420 541-256-0400
Requested Agenda Date: 4/8/2020

This Item Involves: (Check all that apply for this meeting.)
Order or Resolution
Ordinance/Public Hearing: 1st Reading 2nd Reading
Public Comment Anticipated: Estimated Time:
Document Recording Required
Contract/Agreement
Appointments
Update on Project/Committee
Consent Agenda Eligible
Discussion & Action
Estimated Time:
Purchase Pre-Authorization
Other Discussion

N/A
Purchase Pre-Authorizations, Contracts & Agreements
Contractor/Entity:
Contractor/Entity Address:
Effective Dates - From: Through:
Total Contract Amount: Budget Line:
Does the contract amount exceed \$5,000? Yes No

Reviewed By:
Linda Skendzel 4/3/2020 Department Director Required for all BOC meetings
[Signature] 4/6/20 Administrator Required for all BOC meetings
County Council *Required for all legal documents
Finance Office *Required for all contracts; other items as appropriate.
Human Resources *If appropriate
*Allow 1 week for review (submit to all simultaneously). When each office has notified the submitting department of approval, then submit the request to the BOC for placement on the agenda.

Note: All other entities must sign contracts/agreements before they are presented to the Board of Commissioners (originals preferred). Agendas are published each Friday afternoon, so requests must be received in the BOC Office by 1:00 p.m. on the Friday prior to the Board's Wednesday meeting. Once this form is completed, including County Counsel, Finance and HR review/sign-off (if appropriate), then submit it to the Board of Commissioners Office.

AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

Oregon Department of Veterans Affairs Quarterly Activity Report

2. FISCAL IMPACT:

n/a

3. SUGGESTED ACTION(S)/MOTION(S):

none

Attach additional background documentation as needed.

COUNTY VETERANS' SERVICES PROGRAM QUARTERLY REPORT OF ACTIVITIES

Important Submission Instructions
 ODVA Form VS0914 COUNTY VETERANS' SERVICES PROGRAM QUARTERLY REPORT OF ACTIVITIES is used to report the work load and outreach for a county's veterans' services program each quarter. Please submit, along with your report of expenditures, to the address below, fax to 1-503-373-2393, or email to: CVSO-NSOFunding@ODVA.state.or.us

Reports are due NO LATER THAN the last working day of the month following the end of the fiscal quarter.

Submit to: Oregon Department of Veterans' Affairs Statewide Veteran Services 700 Summer Street NE Salem, Oregon 97301-1285	<input type="checkbox"/> 1 st Quarter (July, August, September) <input type="checkbox"/> 2 nd Quarter (October, November, December) <input checked="" type="checkbox"/> 3 rd Quarter (January, February, March) <input type="checkbox"/> 4 th Quarter (April, May, June)
Name of County	Time Period
Morrow	July 1, 20 19 ¹⁹ through June 30, 20 20 ²⁰

INTERVIEW PROCESS		
Interviews are face-to-face interactions with a veteran and/or family member, either in the office or out of the office. These are not requests for information handled by a receptionist or casual conversations held at an outreach event. Enough information must be gathered to document the interaction into VetraSpec.		
Total In-Office Interviews	Total Out-of-Office Interviews	Total Interviews for Quarter
48	7	55

CLAIMS/APPEALS/BENEFIT AWARDS	
Claims information is gathered from VetraSpec reports only, for clients under ODVA Power of Attorney.	
Original USDVA Form 526, 527, or 534 filed this quarter:	10
Original USDVA Form 1010EZ/1010EZR (enrollment for health care) filed:	2
USDVA Form 21-0995 (decision review/supplemental claim) filed:	0
NOD/VA Form 9/VA Form 0996/VA Form 10182 filed:	0
Total Amounts this Qtr (new monthly awards): \$unk	Retroactive Awards for the Quarter: \$6,240.05

OUTREACH CONDUCTED		
Outreach events are outside normal locations. Time spent in a scheduled satellite office is not counted as outreach. Outreach must be to more than one person. No matter the number of VSOs present, one location equals one event. A home visit is not outreach; it is an out-of-office interview.		
The goal of outreach is an eventual increase in subsequent interviews, claims filed, and benefits awarded, as well as connecting that veteran or family member with other beneficial programs in you county.		
Location of Event	Other Departments/services Attending	Approximate Number of People Attending
Irrigon Library	Various Social Services, HC	60
Boardman River Lodge & Grill	ODVA, Veterans	14
Boardman Sr Center	Police, Fire & Sheriffs Dept, Veterans	100
Sr Center Boardman	Senior services, veterans	20
Hermiston GSH	Health care, DVS, senior & other	25

COUNTY VETERANS' SERVICES PROGRAM QUARTERLY REPORT OF ACTIVITIES

OTHER SERVICES PERFORMED
Other services performed outside of applications for VA benefits. For example: assistance with housing, clothing allowance, VA medical billing issues, transportation solutions, overpayment, assistance applying for other benefits (e. g., SSI), etc.
Food box assistance, Arrangements for medical transportation, Coordinating with VA HC,
Applying for other non VA benefits
VA billing issues
Homeless resource assistance
Referrals to community service providers
Coordinate between service providers, updates related to COVID19 changes in hours, availability, etc.
Work with non profit to provide vehicle repair for stranded veterans (2 separate incidents)
Local community resource list creation & updates
Please list below any veteran or non-veteran specific meetings attended. These meetings serve to get veteran information to other county offices, as well as assist the VSO to become familiar with services available outside the USDVA. Examples are Homeless Veteran Task Force, Rotary Club, Lions Club, Elks Club, or County Transportation Boards.
Hosted Community Resource RoundTable- Homelessness resource discussion
La Grande CBOC Open House & meeting with Boardman VA Clinic Manager, Morrow County Leadership Team
Stakeholder meeting for new county office building construction, The Loop Transportation meeting
Walla Walla VA Medical Center quarterly Leadership, CVSO & Legislative meetin,
Senior & Healthy Communities Meetings, County Emergency Meetings COVID19 Board of Commissioners
Please list below any Conferences or Training events attended.
NVLSP Protecting Veterans Benefits Rating Reductions & Severance
County Website training

Please attach a blank page to add any additional activities or innovations your office performed or accomplished this quarter.

CERTIFICATION AND SIGNATURE	
This report is submitted to qualify for funds available from the Oregon Department of Veterans' Affairs and is certified to be true and correct to the best of my knowledge and belief.	
County Veterans' Service Officer Signature	Date Signed
<i>Linda Skendzel</i>	4/3/2020

From: Maffuccio, Jeff <JMaffuccio@idahopower.com>

Sent: Tuesday, March 31, 2020 9:23 AM

To: Melissa Lindsay <mlindsay@co.morrow.or.us>; Don Russell <drussell@co.morrow.or.us>; Jim Doherty <jdoherty@co.morrow.or.us>

Cc: Darrell Green <dgreen@co.morrow.or.us>

Subject: Idaho Power Boardman to Hemingway Right of Entry letters

STOP and VERIFY - This message came from outside of Morrow County Government.

Commissioners Lindsay, Russell, Doherty, and Mr. Green;

Idaho Power recently sent letters to landowners along the Boardman to Hemingway (B2H) Project to request right of entry (ROE) to conduct various surveys, please see the file titled "Survey" at the end. For properties that Idaho Power would need to cross in order to gain access to the properties with proposed B2H facilities, please see the file titled "Crossing" at the end.

Please let me know if you have any questions, stay safe and stay healthy!

Jeff Maffuccio

Facility Siting Coordinator

Idaho Power | T&D Projects

208-388-2402 or 208-859-3718

[Insert Date]

[Insert Recipient Name]
[Insert Recipient Street Address]
[Insert City, State Zip]



**Boardman to Hemingway Transmission Line Project
Right-of-Entry Request**

Parcel Tax Identification Number(s): [parcels]

Dear [Customer Name]:

Idaho Power is making great progress on Boardman to Hemingway (B2H), a 500-kilovolt (kV) transmission line that will help Idaho Power and utilities across the Northwest balance clean energy production, keep prices affordable and encourage economic opportunities in eastern Oregon.

For years, Idaho Power has studied alternatives to B2H, including solar, battery storage, natural gas and other generation sources. With the help of an advisory committee and input from public meetings, we have consistently identified B2H as the most efficient, cost-effective way to meet growing energy needs and transition away from coal-fired energy.

As part of this project, we'd like permission to access your property and study various features of the land. In general, surveys and studies will focus on areas where the line itself, permanent access roads or temporary staging areas could be located.

Landowners will receive fair market value for the use of their land. Wherever possible, we'll avoid interruptions to farming and other activities. We will repair or reimburse you for any damage to your property or interference with your use of it. Idaho Power and our contractors will work hard to protect water sources, water quality, ground stability, crops, native plants, timber and the general well-being of the environment.

Surveys will occur between mid-2020 and 2023. If you give us permission to enter your property, Idaho Power will notify you at least 24 hours before arriving. You can find more information on the surveys and studies in the attached flyer. Also attached is a map of the project features, as proposed, across your property.

208-388-2323, or
1-800-488-6151
(outside the Treasure Valley)

1221 W. Idaho St. (83702)
P.O. Box 70
Boise, ID 83707



Any information that Idaho Power gathers about your property will be made available to you at your request.

Permission to enter your property in no way constitutes your consent to an easement. Easement negotiations take place through a separate process. If an easement is needed, a representative of Idaho Power will discuss it with you or an authorized agent of the property after the surveys are complete.

Please review and complete the enclosed consent form or fill it out online at **B2Hline.com/ROE**. Include descriptions of any special conditions that could make entry difficult or your property unusually vulnerable to damage. If you choose not to fill out the consent form online, please return the form using the enclosed postage-paid envelope. Tetra Tech, an Idaho Power contractor, will contact you after receiving your completed form to answer your questions and serve as your point of contact.

If you have any questions, feel free to contact:

Idaho Power

Kurtis Funke
P.O. Box 70
Boise, ID 83707
kfunke@idahopower.com
208-388-6607

Tetra Tech

Aaron English
3380 Americana Terrace
Suite 201
Boise, ID 83706
aaron.english@tetrattech.com
208-685-9806

For the latest information on the project, including purpose and need, maps, schedule and frequently asked questions, visit: **boardmanto hemingway.com** or **B2Hline.com**.

We appreciate your time. Thank you in advance for returning your consent form within 15 days of receiving this letter.

Sincerely,

M. Mark Stokes, P.E.
Idaho Power Engineering Project Leader
mstokes@idahopower.com

Enclosures:

208-388-2323, or
1-800-488-6151
(outside the Treasure Valley)

1221 W. Idaho St. (83702)
P.O. Box 70
Boise, ID 83707

BOARDMAN TO HEMINGWAY TRANSMISSION LINE PROJECT CONSENT TO ENTRY

I, the undersigned, hereby consent to entry on the parcels referenced below by employees and contractors of Idaho Power to conduct land surveys and studies to document environmental conditions. This consent is given with the express understanding that Idaho Power will be responsible for any physical damage caused to the property or substantial interference with the customary use of the property resulting from the studies and surveying of the property. This consent form does not convey any right or interest in my property other than the right of entry for the purposes I have checked below.

Parcel number(s): «name»: «parcels»

OWNER'S NAME (PLEASE PRINT) _____

OWNER'S SIGNATURE _____

OWNER'S PHONE NUMBER(S) _____

DATE _____

Following is the name and contact information for the person who should be contacted regarding any questions concerning entrance on the land if different from owner:

NAME _____

ADDRESS _____

CITY, STATE, ZIP _____

PHONE NUMBER _____

If there are any conditions, improvements or other circumstances that require special precautions, they are listed on the sheet attached to this consent form.

Idaho Power has my permission to conduct the following surveys on my property (please check the box to the left of the surveys and studies):

- Geotechnical Investigations
- Land Surveying Activities
- Terrain and Access Road Reviews
- Biological Resources Survey
- Cultural Resources Survey



SPECIAL CONCERNS REGARDING PROPERTY:

Special Hazards: _____

Access Information (roads, bridges, etc.): _____

Structures and Improvements: _____

Trees or Crops: _____

Livestock or Animals: _____

Work or Other Activities on the Property: _____

Other: _____

[Insert Date]

[Insert Recipient Name]
[Insert Recipient Street Address]
[Insert City, State Zip]



**Boardman to Hemingway Transmission Line Project
Right-of-Entry Request**

Parcel Tax Identification Number(s): [parcels]

Dear [Customer Name]:

Idaho Power is making great progress on Boardman to Hemingway (B2H), a 500-kilovolt (kV) transmission line that will help utilities across the Northwest balance clean energy production, keep prices affordable and encourage economic opportunities in eastern Oregon.

For years, Idaho Power has studied many alternatives to B2H, including solar, battery storage, gas and other generation sources. With the help of an advisory committee and input from public meetings, we have consistently identified this project as the most efficient, cost-effective way to meet growing energy needs.

As part of this project, we're requesting your permission to cross your property to access project features and perform necessary surveys and investigations on property near yours. Attached is a map of proposed access points across your property.

Wherever possible, we'll avoid interruptions to farming and other activities. We will repair or reimburse you for any damage to your property or interference with your use of it. Idaho Power and our contractors will work hard to protect water sources, water quality, ground stability, crops, native plants, timber and the general well-being of the environment.

Surveys will occur between mid-2020 and 2023. If you give us permission to cross your property, Idaho Power will notify you at least 24 hours before arriving. You can find more information on the surveys and studies in the attached flyer.

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1-800-488-6151
(outside the Treasure Valley)

1221 W. Idaho St. (83702)
P.O. Box 70
Boise, ID 83707

Any information that Idaho Power gathers about your property will be made available to you at your request.

Permission to enter your property in no way constitutes your consent to an easement. Easement negotiations take place through a separate process. If an easement is needed, a representative of Idaho Power will discuss it with you or an authorized agent of the property after the surveys are complete.

Please review and complete the enclosed consent form or fill it out online at **B2Hline.com/ROE**. Include descriptions of any special conditions that could make entry difficult or your property unusually vulnerable to damage. If you choose not to fill out the consent form online, please return the form using the enclosed postage-paid envelope. Tetra Tech, an Idaho Power contractor, will contact you after receiving your completed form to answer your questions and serve as your point of contact.

If you have any questions, feel free to contact:

Idaho Power

Kurtis Funke
P.O. Box 70
Boise, ID 83707
kfunke@idahopower.com
208-388-6607

Tetra Tech

Aaron English
3380 Americana Terrace
Suite 201
Boise, ID 83706
aaron.english@tetrattech.com
208-685-9806

For the latest information on the project, including purpose and need, maps, schedule and frequently asked questions, visit: **boardmantoohemingway.com** or **B2Hline.com**.

We appreciate your time. Thank you in advance for returning your consent form within 15 days of receiving this letter.

Sincerely,



M. Mark Stokes, P.E.
Idaho Power Engineering Project Leader
mstokes@idahopower.com

Enclosures:

208-388-2323, or
1-800-488-6151
(outside the Treasure Valley)

1221 W. Idaho St. (83702)
P.O. Box 70
Boise, ID 83707

BOARDMAN TO HEMINGWAY TRANSMISSION LINE PROJECT CONSENT TO ENTRY

I, the undersigned, hereby consent to entry on the parcels referenced below by employees and contractors of Idaho Power to conduct land surveys and studies to document environmental, geological, cultural and other conditions. This consent is given with the express understanding that Idaho Power will be responsible for any physical damage caused to the property or substantial interference with the customary use of the property resulting from the studies and surveying of the property. This consent form does not convey any right or interest in my property other than the right of entry for the purposes I have checked below.

Parcel number(s): «name»: «parcels»

OWNER'S NAME (PLEASE PRINT)

OWNER'S SIGNATURE

OWNER'S PHONE NUMBER(S)

DATE

Following is the name and contact information for the person who should be contacted regarding any questions concerning entrance on the land if different from owner:

NAME _____

ADDRESS _____

CITY, STATE, ZIP _____

PHONE NUMBER _____

If there are any conditions, improvements or other circumstances that require special precautions, they are listed on the sheet attached to this consent form.

Idaho Power has my permission to conduct the following surveys on my property (please check the box to the left of the surveys and studies):

- Geotechnical Investigations
- Land Surveying Activities
- Terrain and Access Road Reviews
- Biological Resources Survey
- Cultural Resources Survey



SPECIAL CONCERNS REGARDING PROPERTY:

Special Hazards: _____

Access Information (roads, bridges, etc.): _____

Structures and Improvements: _____

Trees or Crops: _____

Livestock or Animals: _____

Work or Other Activities on the Property: _____

Other: _____



PLANNING DEPARTMENT

PO Box 40 • 205 Third Street NE
Irrigon, Oregon 97844
(541) 922-4624

March 26, 2020

To Adjoining and Affected Land Owners:

You are receiving this letter and Preliminary Findings of Fact for a Land Use Decision as you are identified as either an adjoining or affected landowner, an interested party or state agency. The enclosed Preliminary Findings of Fact evaluate the proposed Utility Facility Necessary for Public Service and will authorize the construction and operation of an up to 230 kV transmission line on property zoned Exclusive Farm Use.

Should you have any concerns or want to comment on the proposed Utility Facility, please contact me at scase@co.morrow.or.us or by phone at 541-922-4624. Comments can also be mailed to the address above. Any comments or concerns received no later than close of business on April 10, 2020, will be considered in the Final Findings of Fact, which will be issued on or after April 13, 2020.

More information about the Morrow County Planning Department can be found at the following website: <http://www.co.morrow.or.us/planning>. The Morrow County Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance can all be found at this website along with many other documents and links informing you about Oregon's Land Use Planning Program. Please visit whenever you have questions about land use issues in Morrow County. If you cannot find what you are looking for, please reach out and talk to a Morrow County planner at 541-922-4624.

Cordially,

A handwritten signature in blue ink that reads "Stephanie Case".

Stephanie Case
Interim Planning Director

Enclosures:
Preliminary Findings
Vicinity Map
Applicant Narrative

**PRELIMINARY FINDINGS OF FACT
LAND USE DECISION
Application No. LUD-N-26-20**

REQUEST: To allow construction and operation of a double circuit 230 kV transmission line on single-poles ranging from ~90' to ~130' in height.

APPLICANT: Umatilla Electric Cooperative
750 W Elm Avenue
Hermiston, OR 97838

OWNERS: Multiple ownership (see applicant's narrative).

PROPERTY DESCRIPTION: Tax lots are multiple and varied (see applicant's narrative).

PROJECT LOCATION: Project alignment runs generally from the northeast of the intersection of Highway 730 and Interstate 84 from a planned electrical switch station, westerly to a planned electrical substation located just west of Olson Road and south of Interstate 84.

FINDINGS OF FACT:

I. **BACKGROUND INFORMATION:** Zoning of the area subject to this Land Use Decision is Exclusive Farm Use (EFU) with a 160-acre minimum lot size. This approval will facilitate transmission ensuring adequate service to the area as electrical load growth continues in the northern portion of Morrow County. This application applies only to the portion of the transmission line located within unincorporated areas of Morrow County. The Applicant will need to coordinate with the City of Boardman for those portions of the project located within City Limits. The City of Boardman was provided notice of this action as well as a copy of these findings.

II. **APPROVAL CRITERIA:** The applicant has filed under the Morrow County Zoning Ordinance, ARTICLE 3, USE ZONES, Section 3.010 Exclusive Farm Use Zone. Section 3.010 includes REQUIREMENTS FOR APPROVAL which are listed below in **bold type**, followed by a response in standard type:

B. Uses Permitted Outright. In the EFU zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions set forth by this ordinance:

24. Utility facilities necessary for public service, including associated transmission lines as defined in Article 1 and wetland waste treatment systems, but not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height as provided in Subsection D.10.

The proposed 230kV transmission line is a utility facility that is designed to serve industrial activities in this area of Morrow and Umatilla Counties. Planning staff have determined that the proposed use meets the definition of a Utility Facility Necessary for Public Service and can be allowed if the standards found in subsection D10 can be met.

D. Use Standards

10. A utility facility that is necessary for public service.

a. A utility facility is necessary for public service if the facility must be sited in the exclusive farm use zone in order to provide the service.

The proposed transmission line will be providing service to industrial activities within this area of Morrow and Umatilla Counties. The route presented is the most efficient route from the source to the demand available. Impacts to the agricultural operations are limited as the line is proposed to travel along already existing transmission corridors and farm roads. The proposed transmission line meets this criterion.

(1) To demonstrate that a utility facility is necessary, an applicant must show that reasonable alternatives have been considered and that the facility must be sited in an exclusive farm use zone due to one or more of the following factors:

- (a) Technical and engineering feasibility;**
- (b) The proposed facility is locationally-dependent. A utility facility is locationally-dependent if it must cross land in one or more areas zoned for exclusive farm use in order to achieve a reasonably direct route or to meet unique geographical needs that cannot be satisfied on other lands;**
- (c) Lack of available urban and nonresource lands;**
- (d) Availability of existing rights of way;**
- (e) Public health and safety; and**
- (f) Other requirements of state and federal agencies.**

The proposed alignment of the Utility Facility Necessary for Public Service is locationally-dependent as there is no other route to connect the two end points except to cross lands zoned EFU. The route chosen by the applicant was designed in consultation with landowners along the route to minimize impacts to agricultural operations. This proposed route also takes in consideration the design limitations for crossing the Bonneville Power Administration (BPA) corridor. Planning staff would find these criteria met.

(2) Costs associated with any of the factors listed in Subsection (1) may be considered, but cost alone may not be the only consideration in determining that a utility facility is necessary for public service. Land costs shall not be included when considering alternative locations for substantially similar utility facilities and the siting of utility facilities that are not substantially similar.

Cost has not been the lone factor in identifying the location for the proposed transmission line. The proposed location limits impact to agricultural operations and was a consensus of the affected landowners. Planning staff would find this criterion met.

(3) The owner of a utility facility approved under Subsection a shall be responsible for restoring, as nearly as possible, to its former condition any agricultural land and associated improvements that are damaged or otherwise disturbed by the siting, maintenance, repair or reconstruction of the facility. Nothing in this Subsection shall prevent the owner of the utility facility from requiring a bond or other security from a contractor or otherwise imposing on a contractor the responsibility for restoration.

The applicant has indicated that contractors doing work for the cooperative are required to be insured and bonded for the full value of their respective contracts. By virtue of receiving this permit the applicant is responsible for restoration of adjacent agricultural lands that could be disturbed. Planning staff would find this criterion met.

(4) The county shall impose clear and objective conditions on an application for utility facility siting to mitigate and minimize the impacts of the proposed facility, if any, on surrounding lands devoted to farm use in order to prevent a significant change in accepted farm practices or a significant increase in the cost of farm practices on surrounding farmlands.

The applicant has outlined in the application current design work that limits impacts during both construction, operation and maintenance. Planning staff do list as a Condition of Approval that the applicant provide to the Planning Department both pre- and post-construction design to include the final route and tower placement locations.

(5) Utility facilities necessary for public service may include on-site and off-site facilities for temporary workforce housing for workers constructing a utility facility. Such facilities must be removed or converted to an allowed use under the EFU Zone or other statute or rule when project construction is complete. Off-site facilities allowed under this Subsection are subject to Article 6. Temporary workforce housing facilities not included in the initial approval may be considered through a minor amendment request. A minor amendment request shall have no effect on the original approval.

This criterion is not applicable as there are no housing facilities proposed.

(6) In addition to the provisions of Subsection D.10.a(1) through (4), the establishment or extension of a sewer system as defined by OAR 660-011-0060(1)(f) shall be subject to the provisions of 660-011-0060.

This criterion is not applicable as no sewer system facilities or extensions will be required.

(7) The provisions of Subsection a do not apply to interstate natural gas pipelines and associated facilities authorized by and subject to regulation by the Federal Energy Regulatory Commission.

This criterion is not applicable as this utility is not a natural gas pipeline.

b. An associated transmission line is necessary for public service upon demonstration that the associated transmission line meets either the

following requirements of Subsection (1) or Subsection (2) of this Subsection.

Planning staff have deemed this criterion not applicable as this installation does not qualify as an "associated transmission line" as defined in the Morrow County Zoning Ordinance as it is not associated with an energy generation facility.

III. DECISION OF THE PLANNING DIRECTOR: The Planning Director approves Land Use Decision LUD-N-26-20 subject to the following CONDITION OF APPROVAL.

1. Provide to the Planning Department both a pre- and post-construction design to include the final route and tower placement locations.

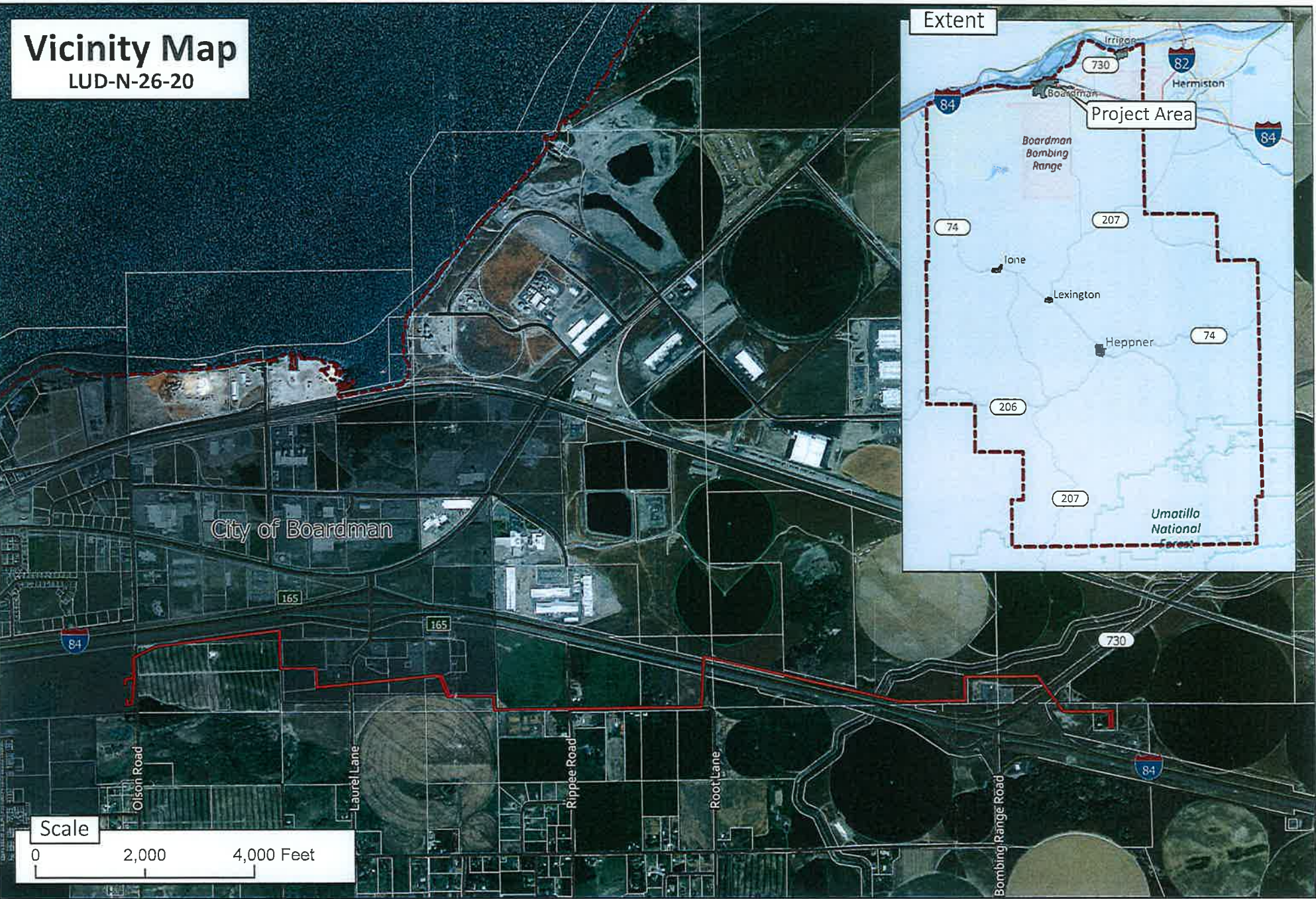
Stephanie Case
Interim Planning Director


Date

Attachments:
Vicinity Map
Applicant Narrative

Vicinity Map

LUD-N-26-20





Umatilla Electric Cooperative
230 kV Transmission Line
 Multiple Tax Lots

Legend

- Tax Lots
- City Limits
- Proposed UEC 230kV Line



Cartography By: Stephen Wrecsics
 Morrow County Planning Department
 Coordinate System: NAD83 Oregon GIC Lambert ft
 Datum: North American 1983
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Oregon

Kate Brown, Governor

Department of Transportation

Driver & Motor Vehicle Services

1905 Lana Ave NE

Salem, OR 97314

Phone: (503) 945-5000

March 26, 2020

Morrow County
100 S Court St
PO Box 788
Heppner, OR 97836

To Whom It May Concern:

To protect the health of customers and staff and help slow the spread of COVID-19, the OSU Extension office, where the Heppner DMV office is located has closed their facility to the public. The Heppner DMV field office will remain closed until further notice.

We strongly recommend customers visit DMV's website at DMV2U.Oregon.gov.

Before visiting a DMV field office, please visit our website at www.OregonDMV.com for office hours, office closures, directions and to access all online services on DMV2U.

In addition to the temporary closure, the Heppner DMV field office has changed their mailing address effective immediately, please use the following mailing address:

Heppner DMV
54173 Hwy 74
Heppner, OR 97836
C/O Pendleton DMV
1732 SW Court
Pendleton, OR 97801

If you have any questions, please call me at (503) 945-5222.

Sincerely,

Stefanie Coons, Manager
Field Services Group
ODOT/DMV

PUBLIC NOTICE



Wheatridge Wind Energy Facility Receipt of Preliminary Request for Amendment 5

Summary:

Date Notice Issued: March 23, 2020

Request: Wheatridge Wind Energy, LLC (certificate holder) seeks Energy Facility Siting Council (Council) approval of a fifth amendment to the Wheatridge Wind Energy Facility site certificate. The previously approved facility includes up to 500 megawatts (MW) of wind energy generation equipment and up to 150 MW of solar photovoltaic (PV) energy generation equipment. Preliminary Request for Amendment 5 (pRFA5) requests to split, and share some, facility components into two site certificates, with a facility name and certificate holder name change, to be maintained by the current certificate holder owner, NextEra Energy Resources LLC (NEER).

The site certificate for the Wheatridge Wind Energy Facility would be replaced with two site certificates: the first would include 100 MW of previously approved wind energy generation equipment, named Wheatridge Renewable Energy Facility I (WREFI); the second would include the remaining previously approved 400 MW of wind energy generation equipment and 150 MW solar PV energy generation equipment, named Wheatridge Renewable Energy Facility II (WREFII). While the certificate holder owner, NEER, would be maintained for both new site certificates, the certificate holder name for WREFII would change from Wheatridge Wind Energy, LLC to Wheatridge Wind II, LLC.

Facility Location: WREFI: Morrow County;
WREFII: Morrow and Umatilla counties

Information Only: Please note, this notice is to provide early notification of pRFA5. There is no comment period associated with this phase of the review.

Review Process: Certificate holder's request for "Type B" amendment process is under review.

Introduction: On March 19, 2020, the Oregon Department of Energy (ODOE), staff to Council, received pRFA5 for the Wheatridge Wind Energy Facility site certificate. In pRFA5, the certificate holder includes a request that the amendment be processed under Type B review per OAR 345-027-0357(8).

Description of Facility (Approved/Under Construction): Wheatridge Wind Energy Facility is an approved wind and solar energy generation facility. Approved wind facility components include up to 292 wind turbines and approximately 900 acres in solar PV energy generation equipment, to be located within a site boundary containing approximately 14,624 acres.

Facility Location: Wheatridge Wind Energy Facility as approved, would be located in both Morrow and Umatilla counties, south of Interstate 84 and northeast of Lexington. A map of the facility site boundary is included in this notice. For detailed maps, please see Figures 1 and 2 in pRFA5 on the [Department's website](#), or visit our online mapping tool at <https://tinyurl.com/EFSCmap>.

Current and Next Review Phase: The current preliminary request for amendment phase consists of staff reviewing the request to ensure there is information adequate for Council to make findings or impose conditions on all applicable Council standards. Once the amendment request is determined complete by staff, staff will issue a Public Notice and Draft Proposed Order (initial staff recommendation), notifying members of the public of a comment period.

If staff determines Type A review process is justified, there will be a public hearing in front of Council in the vicinity of the facility and the comment period will conclude at the close of the hearing. If staff determines Type B review process is justified, the comment period will be a written comment period only and will conclude on the date indicated in the Draft Proposed Order Public Notice.

Receipt of this Notice:

Please note that you may be receiving this notice for multiple reasons:

1. You own property within or adjacent to (within 500 feet) the property on which the facility is located. You will automatically receive all future notices on this facility.
2. You have requested to receive paper notices on the Wheatridge Wind Energy Facility. If you wish to be removed from this mailing lists, please contact Sarah Esterson.
3. You have previously signed up via GovDelivery/ClickDimensions or by contacting ODOE to receive notices related to Wheatridge Wind Energy Facility or all EFSC project-related notices. You will automatically receive all future notices per your request, unless you unsubscribe via ClickDimensions or by contacting ODOE.

More Information:

Please contact Sarah Esterson, Senior Siting Analyst, at the phone, email address or mailing address listed in this notice.

Sarah Esterson, Senior Siting Analyst
Oregon Department of Energy
550 Capitol Street NE, 1st Floor
Salem, OR 97301
Email: sarah.esterson@oregon.gov
Phone: 503-373-7945

More information about the facility and updates on the review process is available using any of the following options.

1) Oregon Department of Energy's webpage:

More details on Wheatridge Wind Energy Facility including the certificate holder's pRFA5 are available online at:

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/WRW.aspx>

Additional resources to help you participate in the state siting process can be found at:

<http://www.oregon.gov/energy/facilities-safety/facilities/pages/default.aspx>

2) Updates by email/mail:

Subscribe to ClickDimensions, a self-managed, automated email system that sends notices and

updates on Wheatridge Wind Energy Facility as well as any or all other energy facilities and events under EFSC jurisdiction. For more information, please visit: <https://tinyurl.com/ODOE-EFSC>.

To receive notices by U.S. Mail, please contact Sarah Esterson.

3) In hardcopy:

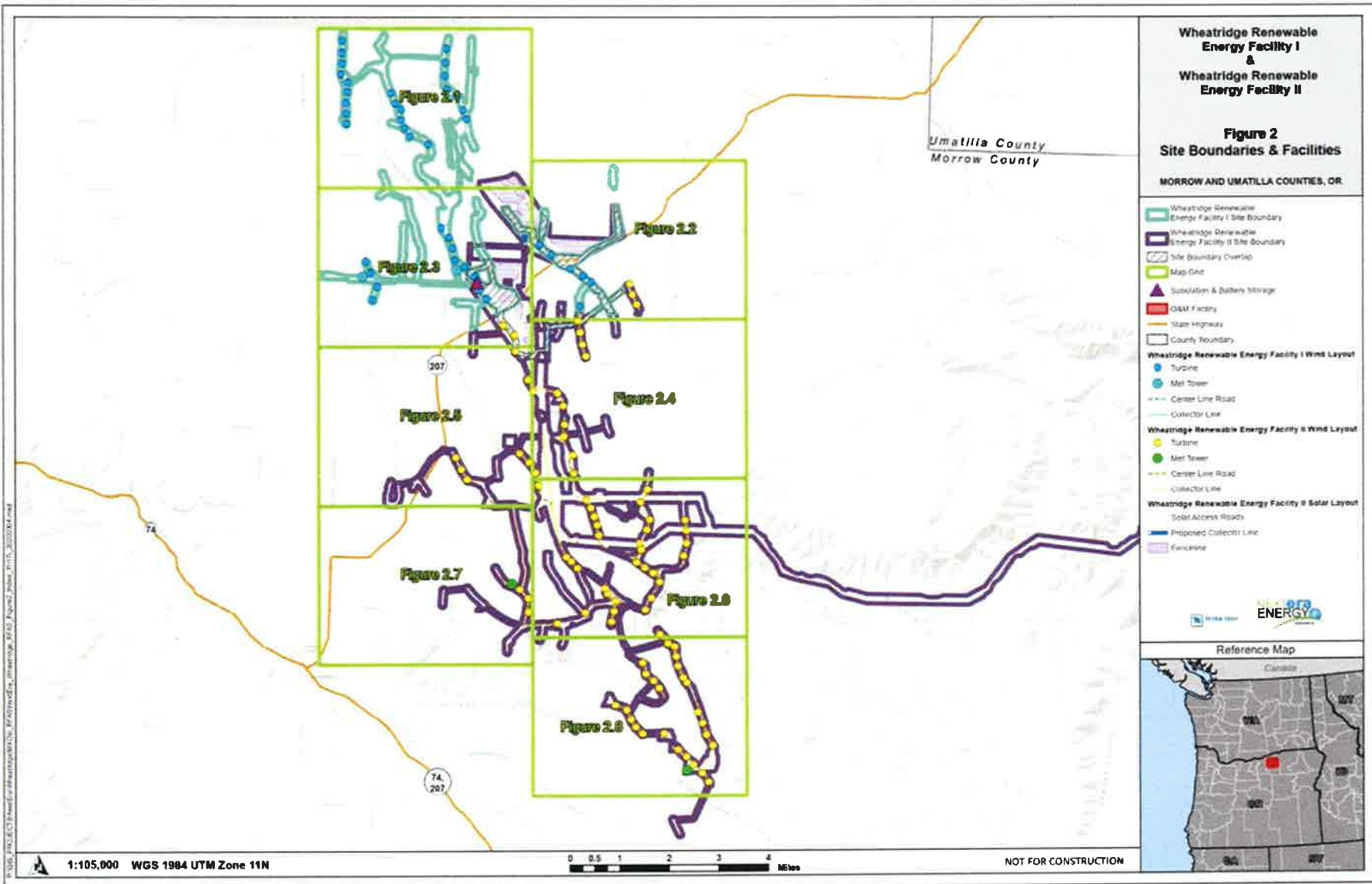
Hard copies of the preliminary Request for Amendment 5 are available for public inspection at:

Oregon Department of Energy
550 Capitol Street NE
Salem, OR 97301

Accessibility information:

The Oregon Department of Energy is committed to accommodating people with disabilities. If you require any special physical or language accommodations, or need information in an alternate format, please contact Michiko Mata at 503-378-3895, toll-free in Oregon at 800-221-8035, or email to michiko.mata@oregon.gov.

Figure 1: Proposed Site Boundaries of New Split Site Certificates





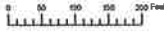
City of Irrigon Public Notice

The City of has received an application from CAPECO regarding the partition of Assessors Map SW1/4 of Section 24, T5N R26DD, Parcel RR-11 of Tax Lot 5000 of Irrigon, Oregon, creating two new respective lots. This is a Type II procedure per 10-4A-1B2. The zoning is commercial (C), allowing lots a minimum of 6,000 sq. ft. Failure to raise written comment by April 17, 2020, addressing the relevant approval criteria and standards, means that an appeal based on the partition cannot be filed with the Irrigon Planning Commission. Only persons who have submitted comments have the right to appeal.

Aaron Palmquist
City Manager
500 NE Main Ave. / PO Box 428
manager@ci.irrigon.or.us
541-922-3047

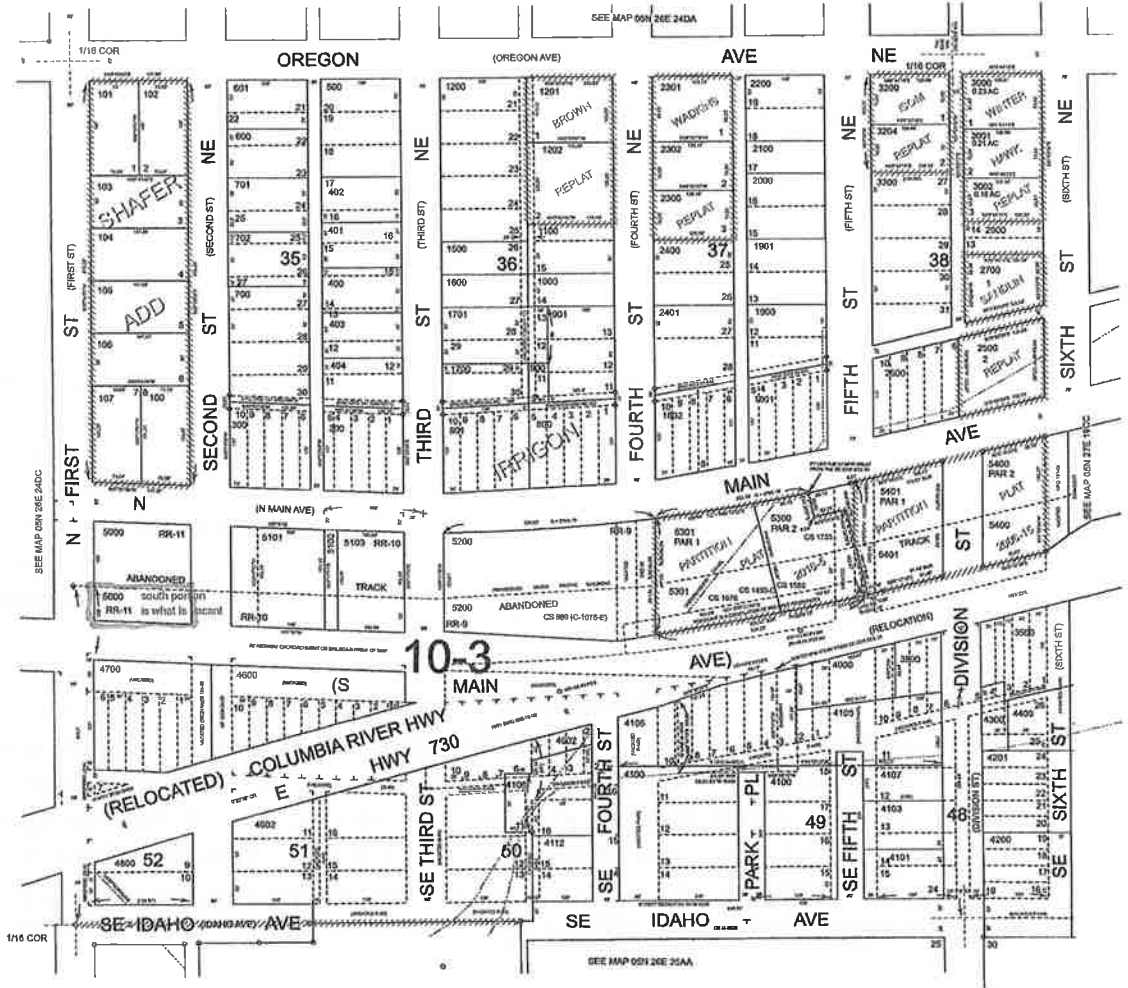
Mailed March 27, 2020

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



S.E. 1/4 S.E. 1/4 SEC. 24 T. 5N. R. 26E. W.M.
MORROW COUNTY
1" = 100'

05N26E24DD
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Revised: EB
01/30/2018

IRRIGON
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IN THE SIXTH JUDICIAL DISTRICT OF THE STATE OF OREGON

In the Matter of Chief Justice Order
20-006, as amended March 27,
2020, pertaining to COVID-19 Phase
2 Response

AMENDED
PRESIDING JUDGE ORDER
No. 20-005

COVID-19 PHASED RESPONSE –
COURT OPERATIONS, PHASE 2

**THIS PRESIDING JUDGE ORDER AMENDS PJO#20-005 as Previously
Amended AND IMPLEMENTS GUIDANCE FOR SOCIAL DISTANCING AND
LIMITED OPERATIONS ALLOWED UNDER
CHIEF JUSTICE ORDER 20-006 as AMENDED**

WHEREAS the Chief Justice has amended and issued the attached Chief Justice Order (CJO) to address the COVID-19 pandemic; and

WHEREAS the Presiding Judge (PJ) has certain authority under state law, including ORS 1.171 which allows the apportionment of caseload and the disposition of judicial business of the circuit court; and

WHEREAS the PJ has issued PJO 20-005, as amended, on Umatilla and Morrow County Circuit Court operations in response to the COVID-19 Level 3 CJO and issued PJO 20-006 with further orders regarding operations of the Morrow County Circuit Court; and

WHEREAS the PJ has authority under ORS 1.180 for safety and security of court facility operations; and

WHEREAS the principal means to defeat the COVID-19 pandemic is to avoid contact with infected persons, and key to that is social distancing; this is accomplished through reduction of in-person court hearings and staggering appearances to avoid social contact and allow for decontamination processes between hearings; and the objective of the CJO is to:

“continue to provide essential services while significantly minimizing the number of judges, court staff, litigants and case participants, interpreters, and members of the public who come into our courthouses and offices. We must do our part to help slow the spread of the COVID-19 virus and to minimize any health

risks to our communities, while meeting our courts' obligations to the public;" and

WHEREAS the court implemented baseline Level 3 operations through PJO 20-005; this order maintains the objectives of social distancing and reducing in person hearings unless statutorily required and provides additional direction on the processing of essential and non-essential case types as Phase 2 of the court's COVID-19 Pandemic response; and

WHEREAS mandated in-person services (essential proceedings) required by law shall be presented at the Umatilla Circuit Court in Pendleton and the Morrow County Circuit Court in Heppner as safety for staff, judges and the public permits, and services at the Hermiston court facility are closed to the public except for a drop box; and

WHEREAS it is projected in the amended CJO that court operations may begin to normalize in June 2020 and the CJO postpones trials and hearings not deemed essential until after June 1, 2020; and

WHEREAS the PJ will issue separate instructions to staff on docketing of essential and non-essential matters in future phases of Level 3 response and return to normalized operations;

Current Operations

THEREFORE, IT IS ORDERED that the prioritization of trials in Paragraph 2 of the CJO, and prioritization of essential proceedings Paragraph 3, detailing Category 1, 2 and 3 including Treatment Court proceedings are adopted as detailed in the CJO and may be amended with further guidance from the Chief Justice.

IT IS ALSO ORDERED that only trials and hearings deemed essential within the CJO shall be scheduled to begin prior to June 1, 2020 unless otherwise ordered by the PJ pursuant to Paragraph 8.a of the CJO under Phase 2 of Level 3 operations.

- This authority is delegated to Judge C. R. Brauer for in-custody criminal trials pursuant to Paragraph 2.a of the CJO.
- This authority is delegated to Judge E. J. Temple for in-custody juvenile delinquency trials pursuant to Paragraph 2.b of the CJO.
- The PJ reserves authority to make this determination in all other criminal, civil and other case types pursuant to Paragraph 2.c and all Category 1 essential proceedings pursuant to Paragraph 3.a of the CJO.

IT IS FURTHER ORDERED that to the extent possible, in essential proceedings, appearance by telephonic or video transmission is encouraged in deference to in-person appearance by litigants, witnesses and to the extent possible counsel. Category 2 and 3 essential proceedings assume remote means for the hearing. Motion for remote appearance is not required but communication with the court is critical to accommodate this need.

COVID-19 RESPONSE, Phase 2

IT IS FURTHER ORDERED that non-essential court and ancillary proceedings described in CJO Paragraph 4, are postponed until no earlier than June 1, 2020. Matters which are filed only and no judicial action thereon is required including but not limited to appeals or transfers from municipal and justice courts, to preserve statutory timelines, will be accepted for filing as provided. Matters which require processing of legal papers will be processed as time and staff allows.

IT IS FURTHER ORDERED that Law Enforcement Officers may cite and release on citations and warrants service and that appearance date shall be no later than 30 days after the date of release, to appear by telephone to 541-278-0341 rather than in-person if the appearance date is earlier than June 1.

IT IS FURTHER ORDERED that Forcible Entry and Detainer (FED) proceedings shall be docketed as provided in Paragraph 5 of the CJO.

IT IS FURTHER ORDERED that to the extent possible, in-person services for assistance with emergent filings by self-represented litigants and payment of fines is provided at the Umatilla County Courthouse in Pendleton and the Morrow County Courthouse, provided Sheriff's Court Security services detailed below are available. Drop boxes are provided at all locations to allow for filing of documents and making payments without proceeding through security screening.

COVID-19 and Weapons Security Screening

PURSUANT TO ORS 1.171 and ORS 1.180 the presiding judge has authority for determining court facility entrance screening policies. CJO 20-006, Paragraph 9.d, specifically grants the PJ authority to direct any person exhibiting symptoms of COVID-19 to leave the courthouse. This authority is hereby delegated to the Trial Court Administrator and members of the Sheriff's Court Security Detail. For this order, "court facility" will have the same definition as found in ORS 166.360. For this purpose, Court Security Officers may ask appropriate questions as part of COVID-19 screening of any persons entering the court facility.

The Umatilla County Courthouse in Pendleton, the Stafford Hansel Government Center Circuit Court (second floor), and the Morrow County Courthouse in Heppner, or any other facility or location where the court conducts its business are court facilities for the use of members of the public to exercise their rights to view proceedings and handle their affairs through the court. There is no right of public access to staff areas or judicial chambers, offices, jury rooms, or conference rooms. Any right of access to public areas may, however, be removed as a result of conduct detrimental to the safety of the court's judicial officers, other officers of the court, its employees, and members of the public.

1. Entrance to court facilities and weapons screening is controlled by order of the PJ and by related order of the Board of Commissioners for the

COVID-19 RESPONSE, Phase 2

County. Firearms are specifically excluded from these premises under ORS 166.370 unless otherwise permitted by separate PJO.

- a. In addition to statutory prohibitions, the following items are barred from court facilities: pocket knives, folding knives, box cutters, multi-tools, sporting sticks, walking sticks (not handicap assistance canes), handcuffs, handcuff keys, replica firearms, or any other item deemed as a possible weapon by Court Security staff. Persons possessing any such item may be required to surrender the item to a Court Security Deputy or to immediately remove the item from the court facility. Any person refusing to comply will be immediately ejected from the court facility with the possible future limitation of their unrestricted access to the court facility.
 - b. Where a court facility security screening station is established, no person will enter any area of the court facility protected by the security screening station without permission from a Court Security Deputy or other authorized county or state employee. Any person not exempted from these requirements by Judicial Rule or Order who desires entry into the protected area of the court facility must submit to the security screening process. The security screening process may include, but is not limited to, magnetometer checks of persons, X-Ray checks of containers and physical checks of containers.
 - c. Any person present in the court facility in possession of a container is subject to the search of that container when requested by Court Security Deputies. The person will have the option of submitting to the search or immediately removing the container in question from the court facility.
 - d. For the purpose of this order, container means any purse, briefcase, bag, backpack, billfold, or other item whose contents are obscured from view.
 - e. For the purpose of this order, screening means the detection of items prohibited from being present in Sixth Judicial District court facilities by Oregon Revised Statutes, Judicial Rule, Judicial Order, or County Commissioner Order.
 - f. For the purpose of this order, screening station means any area in or adjacent to a court facility that controls entry into the court facility or portions of the court facility where such entry is restricted by signing, Court Security Deputies or authorized state or county employees.
2. Detrimental conduct pursuant to this order may include, but is not limited to:

COVID-19 RESPONSE, Phase 2

- a. Direct physical assault or physical harassment upon any person;
 - b. Destruction or theft of court records or posted public notices;
 - c. Vandalism, defacing, burning, or other physical destruction of any device or room within these facilities;
 - d. Intimidation, extortion, coercion, or other forcible conduct aimed at interrupting the court's judicial officers, other officers of the court, and its employees, in the course of their work or at interfering with members of the Bar or of the public in their dealings with the court;
 - e. Any conduct which interferes with or interrupts a court proceeding or court administration;
 - f. Any entrance into an area of these buildings designated off-limits or for employees only;
 - g. Any introduction of noxious odors designed to deny members of the public the use of any public part of these buildings;
 - h. Any attempt, either by fraud or threat, to gain access to confidential court records or material; (9) Any attempt, either by fraud or threat, to gain access to the private office of a judicial officer, the court administrator, or other court officer; or
 - i. Any attempt by a member of the public to deny any other member of the public the use of these buildings.
3. In both counties, COVID-19 screening questions include, but are not limited to, the following:
- Do you have a fever or are you experiencing chills?
 - Are you experiencing a loss of taste or smell?
 - Do you have a cough?
 - Are you experiencing any difficulty breathing or shortness of breath?
 - Within the last 14 days have you had close contact with anyone who has been diagnosed with COVID-19?
4. Court Security Officers may require noninvasive temperature screening for anyone entering the court facility or may visually assess the person's physical appearance regarding presentation as fevered.
- Access to the court facility will be denied to anyone presenting with a fever over 99.9 degrees measured noninvasively, or to anyone who states they have a fever or chills or presents as having fever or chills, or to anyone refusing to consent to noninvasive temperature screening.

COVID-19 RESPONSE, Phase 2

5. Access to the court facility will be denied to anyone answering yes to any of the other screening questions unless entry is authorized by an employee of the state courts designated by the TCA to make such determinations for persons seeking state court access, or unless entry is authorized by an employee of the county designated by their agency to make such determinations for persons seeking access to county services.
6. If a person is granted access to court or county services as described in Paragraph 3 above and declines to wear a protective mask that is approved by Court Security Deputies, they shall be directed to leave the building.
7. While in the courthouse, all persons shall as reasonably as possible adhere to social distancing guidelines. If any person, including attorneys, are unable to adhere to such they may be barred from the courthouse and required to make all appearances by phone.
8. Court Security Deputies and court staff may enforce these requirements and the court may enforce compliance through contempt of court if the person is present in a courtroom without a mask after being advised to wear the mask by Court Security Deputies.
9. No person will be denied access to the court facility without being given the court telephone number – 541-278-0341 – allowing them to conduct their business telephonically.
10. Certain persons are exempted from screening requirements when acting within the scope of their official duties, but shall self-identify as to any of the screening questions to security and individuals with court appearances have a personal responsibility to make other arrangements for appearance by phone:
 - Judges;
 - County Commissioners
 - Attorneys, including any member of the Oregon Bar with Bar identification;
 - Law Enforcement Officers while on duty; and
 - Court and County employees displaying appropriate identification.

IT IS FURTHER ORDERED that objections to the emergency provisions herein are required to be filed in writing as to a specific hearing no later than 2 full court days prior to the scheduled hearing, or if held within two days then 24 hours before the time of the hearing.

COVID-19 RESPONSE, Phase 2

IT IS LASTLY ORDERED that this PJO, unless otherwise amended, shall terminate upon cancellation of the associated CJO and the cessation of the COVID-19 Pandemic.

Dated

April 3, 2020



DANIEL J. HILL
Presiding Judge of the Circuit Court

In the Matter of Imposing Level 3	)	CHIEF JUSTICE ORDER
Restrictions on Court Operations	)	No. 20-006 (AMENDED)
(AMENDED))	
	)	AMENDED ORDER IMPOSING LEVEL 3
	)	RESTRICTIONS ON COURT OPERATIONS
)	

As Oregon’s Chief Justice, I issued original Chief Justice Order 20-006 on March 16, 2020. During the time that the Oregon Judicial Department’s Level 3 restrictions have been in place, I have received many comments on the restrictions and suggestions for improvement, but I have not received any counsel against the need for such restrictions. The emergency conditions that have resulted from the spread of the COVID-19 virus continue, as does Governor Kate Brown’s emergency declaration. In addition, on March 23, 2020, Governor Brown issued Executive Order 20-12, which requires Oregonians to stay at home or at their place of residence to the maximum extent possible.

Given those considerations and the current thinking of those in the public health community, and after consulting with the courts’ Advisory Committee and the Oregon State Bar, I am directing that courts immediately comply with these amended Level 3 restrictions on operations. These restrictions will remain in place until further order. If conditions change or if there is a need to do so, I may order further restrictions or ease restrictions on operations.

In addition, I am seeking legislative authority to (1) extend or suspend timelines currently set by statute or rule, and that apply after the initiation of both criminal and civil cases; and (2) ensure the ability to appear in court by telephone or other remote means in most circumstances. If that authority is granted, I intend to adopt a supplemental order exercising that authority.

Our goal is to continue to provide essential services while significantly minimizing the number of judges, staff, litigants and case participants, interpreters, and members of the public who come into our courthouses and offices. We must do our part to help slow the spread of the COVID-19 virus and to minimize any health risks to our communities, while meeting our courts’ obligations to the public.

Therefore, effective immediately, I am requiring the Oregon Circuit Courts, the Oregon Appellate Courts, the Oregon Tax Court, and the Office of the State Court Administrator and its Divisions to comply with these amended Level 3 restrictions to significantly limit the number of persons in our courthouses and places of work.

STATUTORY AUTHORITY:

1. ORS 1.002 provides that the Chief Justice of the Oregon Supreme Court is the administrative head of the judicial department of government in this state; shall exercise administrative authority and supervision over the courts of this state consistent with applicable provisions of law and the Oregon Rules of Civil Procedure; and, to facilitate exercise of that administrative authority and supervision, may make rules and issue orders as appropriate or take any other action appropriate to perform the functions of the office of Chief Justice.
2. ORS 1.002(9) provides that the Chief Justice may delegate the exercise of any powers specified in ORS 1.002 to the Presiding Judge of a court.

3. ORS 1.171(4) provides that a Presiding Judge may delegate the exercise of any of the administrative powers of the Presiding Judge to another judge of the court or to the Trial Court Administrator for the judicial district.

I HEREBY ORDER, pursuant to that authority, that the following Level 3 restrictions on operations take effect immediately and remain in effect until further order of the Chief Justice.

1. Definitions. As used in this order:

- a. "High risk" includes the category of persons whom the Centers for Disease Control has identified as being at high-risk for serious illness due to COVID-19 and similarly situated persons. As of the date of this order, that category includes the following persons:
 - (1) Persons 65 and older;
 - (2) Persons with high-risk conditions including chronic lung disease or moderate to severe asthma or serious heart conditions;
 - (3) Persons with certain underlying medical conditions, particularly if not well controlled, such as diabetes, renal failure, or liver disease, and also chronic kidney disease or metabolic disorders;
 - (4) Persons with weakened immune systems, including from cancer treatment;
 - (5) Persons of any age with severe obesity (body mass index [BMI]>40);
 - (6) Persons who live in nursing homes or long-term care facilities; and
 - (7) Persons without housing.
- b. "Presiding Judge" means the presiding judge of a judicial district or any person to whom that judge has delegated authority under this order.
- c. "Remote means" means conducting a trial, hearing, proceeding, or other gathering by telephone, other two-way electronic communication device, or simultaneous electronic transmission.
- d. "Social distancing" means the minimum amount of physical distance between each person. The distance shall be determined by the social distancing requirements specified by an Executive Order issued by the governor. As of the date of this order, the distance is 6 feet between each person.

2. Trials

- a. In-custody defendants, right to speedy trial
 - (1) This subparagraph applies to trials for defendants who are in custody on one or more criminal charges that provide them with a statutory or

constitutional right to a speedy trial, where such rights have not been voluntarily waived, including defendants who have opted for bench trials.

- (2) A Presiding Judge may schedule such a trial to begin before June 1, 2020.
- (3) Absent a party's motion to postpone such a trial, the Presiding Judge shall consider whether to postpone each such trial scheduled to begin before June 1, 2020. The Presiding Judge shall not postpone such trials, unless that judge determines that postponement will not violate a statutory or constitutional right.
- (4) Each defendant whose case is being rescheduled shall have a right to an expedited hearing to address release issues, including, but not limited to, supervised release and security release reduction.

b. In-custody juvenile delinquency adjudications

- (1) This subparagraph applies to a juvenile delinquency adjudication when the youth is in custody.
- (2) The Presiding Judge may schedule such an adjudication to begin before June 1, 2020.
- (3) Absent a youth's motion to postpone such an adjudication, the Presiding Judge shall not postpone to a date later than June 1, 2020.
- (4) Adjudications that are held shall be conducted by remote means if reasonably feasible and permitted by law, including with the consent of the parties under ORS 419C.025.

c. All other jury and bench trials in criminal, civil, and other cases

- (1) This subparagraph applies to all trials other than those addressed in subparagraphs 2.a. and 2.b., including jury and bench trials in criminal, civil, family, and probate proceedings, and out-of-custody juvenile delinquency adjudications, but excluding trials in Forcible Entry and Detainer (FED) proceedings, addressed in paragraph 5.e.
- (2) Except as provided in subparagraph 2.c.(3), all such trials scheduled to begin earlier than June 1, 2020, shall be postponed, and no such trials shall be scheduled to begin before June 1, 2020.
- (3) A Presiding Judge may schedule a trial to begin before June 1, 2020, under subparagraph 8.a.
- (4) Trials that are held shall be conducted by remote means if reasonably feasible and permitted by law, including with the consent of the parties under ORS 131.045.

- (5) Each criminal defendant whose case is being rescheduled shall have a right to an expedited hearing to address release issues, including, but not limited to, supervised release and security release reduction.

3. Essential Proceedings

a. Category 1 essential proceedings -- generally, conducted in-person

- (1) The proceedings described in subparagraph 3.a.(2) shall be held on the date scheduled, unless postponed on motion of a party or by the Presiding Judge. Such proceedings may be scheduled to begin on a date before June 1, 2020. In such proceedings, parties are expected to appear in person unless the Presiding Judge orders that either the category of proceeding or the particular proceeding be conducted by remote means.
- (2) The following are Category 1 essential proceedings:
 - (A) The following criminal proceedings, when the defendant is in custody: arraignments, probable cause hearings, release hearings, probation violation hearings, plea hearings, sentencing hearings, aid-and-assist hearings, and any other hearing that will directly lead to the release of the defendant or the resolution of the case;
 - (B) Grand jury proceedings or preliminary hearings for felony indictments; and
 - (C) Civil commitment hearings.

b. Category 2 essential proceedings -- generally, conducted by remote means

- (1) The proceedings described in subparagraph 3.b.(2) shall be held on the date scheduled, unless postponed on motion of a party or by the Presiding Judge. Such proceedings may be scheduled to begin on a date before June 1, 2020. Such proceedings shall be conducted by remote means if reasonably feasible and permitted by law.
- (2) The following are Category 2 essential proceedings:
 - (A) In criminal proceedings:
 - (i) Case management and docket hearings; and
 - (ii) Out-of-custody arraignments on citations, within 30 days of issuance of the citation;
 - (B) In family and protective order proceedings:
 - (i) Hearings on immediate danger motions;

- (ii) Hearings on applications for orders of assistance to obtain custody of a child held in violation of a custody order;
 - (iii) Hearings on protective order applications, motions, and renewals (Family Abuse Prevention Act, Elderly Persons and Persons with Disabilities Abuse Prevention Act, Sexual Abuse Protection Orders, Extreme Risk Protection Orders, and stalking orders); and
 - (iv) Hearings on contested protective orders, including exceptional circumstances hearings;
- (C) In juvenile dependency proceedings:
- (i) Protective custody order applications;
 - (ii) Shelter hearings;
 - (iii) Jurisdiction and disposition hearings and trials, if constitutionally required;
 - (iv) Hearings on a parent's objection to the child's continued placement in substitute care; and
 - (v) Hearings on motions to dismiss, if constitutionally required;
- (D) In juvenile delinquency proceedings:
- (i) Delinquency in-custody initial appearances; and
 - (ii) For in-custody youth, 10-day detention review hearings and 28/56-day detention duration hearings;
- (E) In probate proceedings, temporary guardianships or conservatorships;
- (F) Specialty Court proceedings, but only if the Presiding Judge determines that those proceedings are necessary; and
- (G) Proceedings involving isolation or quarantine under ORS 433.123 and ORS 433.133, or isolation of contaminated property under ORS 433.142.
- (3) Subparagraph 3.b.(1) also applies to any other proceeding in which the Presiding Judge has determined, on motion of a party or on own motion, that the proceeding must be held before June 1, 2020.
- (4) Specialty Court proceedings conducted in person should be conducted in compliance with the public health directives issued by the Oregon Health Authority. Within the limitations presented by the current COVID-19 pandemic, specialty courts should work with community partners to

employ practices that best approximate recognized best-practice standards.

- c. **Category 3 essential proceedings -- generally, conducted by remote means**
- (1) The proceedings described in subparagraph 3.c.(3) shall be scheduled in accordance with the policy developed by the Presiding Judge. The policy should take into account the local court's ability to operate with minimal staffing, the safety of court staff and the public, and any constitutional or statutory mandates for timely hearings. If permitted by such policy, such proceedings may be scheduled to begin on a date before June 1, 2020. Such proceedings shall be conducted by remote means if reasonably feasible and permitted by law.
 - (2) Notwithstanding subparagraph 3.c.(1), a party may seek to have a Category 3 proceeding scheduled to begin at an earlier time than permitted by the local policy, and the Presiding Judge may so order, if, after consulting with the parties and other affected persons, the Presiding Judge determines that the trial, hearing, conference, or proceeding should occur within that time frame; that it can be conducted by remote means or that sufficient social distancing can be maintained if conducted in person, and that the Presiding Judge can order other reasonable precautions to protect the health of the participants, including interpreters and court staff.
 - (3) The following are Category 3 essential proceedings:
 - (A) In civil proceedings, case management hearings and temporary restraining order hearings, when the request seeks to address an irreparable immediate harm;
 - (B) In family law proceedings:
 - (i) Hearings on pre-judgment and post-judgment status quo matters;
 - (ii) Hearings on motions to enforce parenting time;
 - (iii) Any hearing the Presiding Judge deems necessary to hold in the interest of the public's health; and
 - (iv) Family law facilitation and mediation;
 - (C) In juvenile dependency proceedings:
 - (i) Jurisdiction and disposition hearings and trials, if not constitutionally required;
 - (ii) Permanency hearings;

- (iii) Hearings on motions to dismiss, if not constitutionally required; and
- (iv) Hearings on motions by parents for visitation/parenting time.

4. Non-Essential Proceedings

a. Court proceedings

- (1) All proceedings not addressed in paragraphs 2, 3, or 5 scheduled to begin earlier than June 1, 2020, shall be postponed. No such proceedings shall be scheduled to begin before June 1, 2020.
- (2) Notwithstanding subparagraph 4.a.(1), a party may seek to have a non-essential proceeding scheduled for a time earlier than June 1, 2020, and the Presiding Judge may so order, if, after consulting with the parties and other affected persons, the Presiding Judge determines that the trial, hearing, conference, or proceeding should occur within that time frame; that it can be conducted by remote means or that sufficient social distancing can be maintained if conducted in person; and that the Presiding Judge can order other reasonable precautions to protect the health of the participants, including victims, interpreters, and court staff.

b. Ancillary proceedings

- (1) Except as provided in subparagraphs 4.b.(2) and (3), ancillary proceedings shall be postponed or limited to the extent the underlying court proceeding is itself postponed or limited by these Level 3 restrictions and this court order.
- (2) The arbitrator, mediator, or person presiding over the ancillary proceeding has authority to order that a particular proceeding take place, if the person presiding, after consulting with the parties and other affected persons, determines that there is a need for an in-person ancillary proceeding, that social distancing can be maintained if not conducted by remote means, and that the person presiding can order other reasonable precautions to protect the health of the participants, including interpreters and court staff.
- (3) The Presiding Judge may order that certain ancillary proceedings continue, including family law facilitation and mediation.
- (4) "Ancillary proceeding" means any court-annexed mandatory or voluntary arbitration conducted in-person, or a mediation, settlement conference or similar in-person settlement effort associated with a pending court proceeding.

5. Forcible Entry and Detainer (FED) Proceedings

- a. Each court shall permit a plaintiff to file an FED complaint, and the court shall issue a summons for service by the plaintiff, unless prohibited by law. The complaint and the summons shall be in the form required by law and subparagraph 5.c.
- b. All first appearances under ORS 105.137 shall be postponed without the need for a motion. No party shall be required to appear on the date set by summons for the initial first appearance, and no answer shall be required at that time. Although not required, the court shall allow a defendant to file an answer before the rescheduling of any first appearance.
- c. Attachment A to this order sets out a form explanation of the first appearance postponement described in subparagraph 5.b (including translations). Unless the Presiding Judge authorizes an exception under subparagraph 8.a., the court shall attach to the summons described in subparagraph 5.a. an explanation of the postponement, in a form substantially similar to Attachment A (including translations).
- d. When the date for first appearance is rescheduled, or as otherwise directed, all parties shall appear in person at such rescheduled first appearances, on the date set. Subject to Chief Justice order, the court shall reschedule the case for a first appearance to take place after June 1, 2020, and shall notify all parties by first class mail of the time, date, and place of the rescheduled first appearance, except that lawyers who are Oregon State Bar members may be notified by email.
- e. All trials under ORS 105.137(6) scheduled to begin before June 1, 2020, shall be postponed, and no trial shall be scheduled to begin before that date. A landlord who wishes to have the court enter an order that a defendant pay rent pending trial shall file a motion for such an order.
- f. Notwithstanding subparagraphs 5.b. and 5.e., a Presiding Judge may schedule a first appearance to take place or a trial to begin before June 1, 2020, under subparagraph 8.a.

6. Motions

- a. Unless a party has a constitutional or statutory right to have a motion heard in-person, a motion shall be heard by remote means.
- b. The provisions of the Uniform Trial Court Rules that require parties to request that certain motions be heard by telecommunication are waived:
 - (1) Certain motions in criminal cases under UTCR 4.050(2); and
 - (2) Certain motions in civil cases under UTCR 5.050(2).
- c. The Presiding Judge may grant a motion to appear in person upon a showing of a need to proceed, imminent harm, or other good cause.

7. Exhibits

- a. Notwithstanding UTCR 6.050(3) and UTCR 21.070(3)(p), when a trial, hearing, or proceeding is to be conducted by remote means, any exhibit that can be converted to PDF may be submitted through the court's electronic filing (eFiling) system.
- b. When submitting exhibits through the eFiling system, the filer shall designate the exhibits as described in UTCR 21.070(6).
- c. The submission of exhibits through the eFiling system must comply with UTCR 21.040(1), (2), and (4), to the extent applicable, except that the court may direct that multiple exhibits in a particular proceeding be submitted as separate eFiled documents.
- d. Exhibits submitted as a unified single PDF file under this paragraph must:
 - (1) Be accompanied by an index that identifies each exhibit, located at the beginning of the submission, and each identified exhibit must be electronically linked to the index; and
 - (2) Include an electronic bookmark for each exhibit.
- e. The court may reject submissions that do not comply with this paragraph.

8. Presiding Judge Authority

- a. Notwithstanding paragraphs 2 through 5, each Presiding Judge has discretion to order that a particular trial, hearing, or proceeding, or a first appearance in an FED proceeding, begin or take place before June 1, 2020, upon a determination, after consulting with the parties and other affected persons, that it should occur in that time frame, that it can be conducted by remote means or that sufficient social distancing can be maintained if conducted in person, and that the court can order other reasonable precautions to protect the health of the participants, including victims, interpreters, and court staff.
- b. Each Presiding Judge shall have authority to suspend any Supplementary Local Rule that may be an impediment to Level 3 operations, including any requirement that an *ex parte* submission be made in person.

9. All Other Court Services

- a. The public shall be able to access all circuit courts, the Oregon Tax Court, and the Oregon Appellate Courts. Each Presiding Judge shall determine an appropriate means of ensuring access, so that each court continues to provide justice services in the local community, including time-sensitive service when required.

- b. Each Presiding Judge shall ensure that:
 - (1) The court provides information about how it will provide justice services under subparagraph 9.a., including how to file documents with the court and how to contact the court, in a telephone message on the court's main phone line, in a prominent place on or near its courthouse doors, and on its website;
 - (2) The information described in subparagraph 9.b.(1) is also communicated to local community partners, local bar associations, and media outlets;
 - (3) The court answers telephones during its business hours or otherwise develops a method for responding in a timely manner to messages received; and
 - (4) If needed, the court provides a drop-box for the filing of documents with the court.
- c. Courts shall continue to provide essential services when they can do so while maintaining social distancing. Essential services include the following:
 - (1) Receiving court filings and payments;
 - (2) Issuing notices, orders, and judgments;
 - (3) In family law cases, signing stipulated orders and judgments;
 - (4) Maintaining the court's register of actions or case register; and
 - (5) Additional services that the court deems essential.
- d. If any person in a courthouse exhibits symptoms associated with COVID-19, the Presiding Judge may direct the person to leave the courthouse.

10. Requirements for Proceedings Held in Person

For all trials, hearings, proceedings, and for any other court services taking place in person, the court and court staff shall, considering the need for safety measures, take the following precautions:

- a. Require social distancing;
- b. Maintain vigilance about cleaning in accordance with other OJD guidelines; and
- c. Require any other reasonable precautions to protect the health of all participants, including victims, interpreters, and court staff.

11. Remote Work Assignments

- a. All judges and staff shall be assigned to work from home, or otherwise directed not to work in the courthouse or other workplace, unless the Administrative

Authority directs that they be in the courthouse or the workplace to provide court or other services in accordance with these Level 3 restrictions. The Administrative Authority should avoid directing persons in high-risk categories, or those with good cause, to work in the courthouse or other workplace.

- b. "Administrative Authority" means a Presiding Judge, a Trial Court Administrator, the State Court Administrator, a Division Director, or, in the Appellate Courts, any other judge or employee so designated in writing by the Chief Justice or Chief Judge.

12. Expectations for Attorneys

When in-person trials, hearings, or proceedings are held, except as otherwise provided in subparagraph 15.a., attorneys shall appear in person, unless the attorney is excused or the Presiding Judge has adopted a procedure that allows attorneys to appear by remote means. An attorney who has concerns about appearing in person due to COVID-19-related issues should seek to be excused; request either a postponement or an appearance by remote means if desired, reasonably feasible, and permitted by law; and, if necessary, take steps to help the client find suitable counsel. A request for postponement or appearance by remote means due to concerns about COVID-19 should be granted.

13. Meetings, Conferences, and Travel

- a. No in-person meetings or conferences of more than 5 people may be held, except as authorized by the Presiding Judge, State Court Administrator, or designee. Judges and staff should hold or attend meetings of 5 or fewer persons only after weighing the benefits and risks, and considering the available alternatives. Participants shall maintain social distancing. Those who do not participate in person should try to attend by remote means.
- b. All other meetings and conferences should be conducted by remote means.
- c. All in-state and out-of-state work-related travel is prohibited, except as authorized by the State Court Administrator or designee.

14. Public Safety and Community

- a. Courts should work with attorneys and their local bar associations to ensure that every possible opportunity to reduce risk and preserve the function of Oregon courts has been identified and explored.
- b. Courts should work with the Criminal Justice Advisory Committee, their Local Public Safety Coordinating Councils, and other stakeholder groups to explore criminal justice system issues and ensure the health of those who are incarcerated and coming to court.
- c. Courts should explore alternatives to current arrest and detention policies, including the use of cite-in-lieu of arrest where appropriate, to keep jail populations at a minimum.

15. Persons Held In-Custody in County Jail

- a. A Presiding Judge shall permit an attorney wishing to be heard on a motion for release to appear by remote means when reasonably feasible and permitted by law.
- b. Each Presiding Judge should work with the local district attorney's office, criminal defense attorneys, sheriff's office, and community corrections department or other agency to identify persons housed in their jails who can be safely released or are eligible for release, including release under ORS 137.520 and ORS 137.750, for the purpose of managing the jail population by reducing those jail populations.

16. Fines, Fees, and Costs

As permitted by law, courts are strongly encouraged to waive or suspend fines, fees, and costs for persons with limited financial resources.

17. Appellate Courts, Tax Court, and Office of the State Court Administrator

a. Appellate Courts

- (1) The Level 3 restrictions and other requirements described in paragraphs 9, 10, 11, 12, 13, 14, and 18 apply, to the extent practicable, to the Supreme Court and the Court of Appeals. To the extent that those courts are able to continue to conduct their ordinary operations using remote services and remote means, they should do so.
- (2) The Chief Justice of the Supreme Court and the Chief Judge of the Court of Appeals may delegate authority to take actions under this order.

b. Tax Court

- (1) The Level 3 restrictions and other requirements described in paragraphs 6, 7, 9, 10, 11, 12, 13, 14, and 18 apply, to the extent practicable, to the Tax Court. To the extent that the Tax Court is able to continue its ordinary operations using remote services and remote means, unless provided otherwise in this subparagraph, it should do so.
- (2) Except as provided in subparagraph 17.b.(3), the Tax Court Judge shall postpone all proceedings, with no proceedings scheduled to begin before June 1, 2020.
- (3) The Tax Court Judge may schedule a proceeding to begin before June 1, 2020, if the judge determines that the trial, hearing, or proceeding can be conducted by remote means, considering all participants including court staff; or otherwise determines that the proceeding should occur within that time frame and sufficient social distancing can be maintained, and the judge can take other reasonable precautions to protect the health of the participants, including interpreters and court staff.

- (4) The Tax Court Judge may delegate authority to take actions under this order.
- c. (1) The Level 3 restrictions described in paragraphs 9, 10, 11, 12, 13, 14, and 18 apply, to the extent practicable and except as described in subparagraph 17.c.(2), to the Office of the State Court Administrator and the Divisions within that Office.
- (2) The Citizen Review Board shall schedule and conduct periodic reviews of cases involving children in foster care using only remote means during the period of these Level 3 restrictions.

18. Notice and Communication


Presiding Judges, Trial Court Administrators, and the State Court Administrator and designees must work together to:

- a. Use all reasonable means to inform judges, staff, lawyers, and the public of these restrictions; and
- b. Post information about these restrictions and local court operations on court websites or in other publicly available locations.

19. These Level 3 restrictions are to be in effect immediately and will continue until further order. They may be extended by further order, or they may be amended by further order.

20. This order amends and supersedes original Chief Justice Order 20-006, issued on March 16, 2020. This amended order takes effect immediately.

Dated this 27th day of March, 2020.



Martha L. Walters
Chief Justice

ATTACHMENT A

[ADD OFFICIAL COUNTY CIRCUIT COURT NAME, LETTERHEAD OR SEAL]

NOTICE OF COURT DELAYS RELATING TO COVID-19 VIRUS

Due to the COVID-19 virus, Oregon Supreme Court Chief Justice Martha L. Walters has ordered that all Forcible Entry and Detainer (FED) first appearances in court be postponed, including the appearance that this Summons tells you that you must attend.

THE DATE SET BY THIS SUMMONS IS POSTPONED

The date set for first appearance by the attached Summons is postponed. You should not go to the courthouse on that date. There will be no penalties for not appearing on the date set out in the Summons.

You will receive a notice in the mail when court operations are no longer restricted. That notice will give you a new date and time to appear in court. Follow the instructions in that future notice. You may be required to appear at that time in person, by phone, or by some other electronic means.

You may contact the _____ County Circuit Court with questions at:

____-____-____ during the following hours/days: _____.

[Add the following in Spanish, Russian, Vietnamese, and others as appropriate and as can be provided by OJD's Court Language Access Services: "Your landlord is trying to evict you. The date set by the attached Summons is postponed. You should not go to the courthouse on that date. There will be no penalties for not appearing on the date specified in the Summons. You will receive a notice in the mail when court operations are no longer restricted. That notice will give you a new date and time to appear in court. Follow the instructions in that future notice. You may be required to appear at that time in person, by phone, or by some other electronic means. You may contact the _____ County Circuit Court with questions at: ____-____-____ during the following hours/days: _____."]

[ADD OFFICIAL COUNTY CIRCUIT COURT NAME, LETTERHEAD OR SEAL]

NOTICE OF COURT DELAYS

Relating to COVID-19 Virus

Due to the COVID-19 virus, Oregon's Supreme Court Chief Justice has ordered that all FED (Forcible Entry and Detainer) first appearances in court be postponed during this crisis, including the one that this Summons tells you that you must attend.

THE DATE SET BY THIS SUMMONS IS POSTPONED.

You should not go to the courthouse on that date. There will be no penalties for failure to appear on the date specified in the attached summons.

You will receive a notice in the mail when court operations are no longer restricted, which will give you a new date and time to appear in court. Follow the instructions in that future notice. You may be required to appear at that time in person or by phone or electronically.

You may contact the _____ County Circuit Court with questions at:

____-____-____ during the following hours/days: _____.

SPANISH

El propietario del inmueble busca desalojarlo. La fecha indicada en esta citación judicial ha sido postergada. No se debe presentar en el tribunal ese día. Quedará libre de toda sanción por no comparecer en la fecha indicada en el llamamiento judicial adjunto. Una vez que se normalicen las operaciones regulares del tribunal, le notificaremos la fecha y hora en la que tendrá que comparecer. Siga las instrucciones de esa notificación. Tendrá entonces que comparecer en persona, por teléfono u otro medio electrónico. Si tiene preguntas, puede comunicarse con el Tribunal de Circuito del Condado de _____ al: ____-____-____ en el siguiente horario: _____.

[ADD OFFICIAL COUNTY CIRCUIT COURT NAME, LETTERHEAD OR SEAL]

NOTICE OF COURT DELAYS

Relating to COVID-19 Virus

Due to the COVID-19 virus, Oregon's Supreme Court Chief Justice has ordered that all FED (Forcible Entry and Detainer) first appearances in court be postponed during this crisis, including the one that this Summons tells you that you must attend.

THE DATE SET BY THIS SUMMONS IS POSTPONED.

You should not go to the courthouse on that date. There will be no penalties for failure to appear on the date specified in the attached summons.

You will receive a notice in the mail when court operations are no longer restricted, which will give you a new date and time to appear in court. Follow the instructions in that future notice. You may be required to appear at that time in person or by phone or electronically.

You may contact the _____ County Circuit Court with questions at:

____-____-____ during the following hours/days: _____.

RUSSIAN

Внести следующее на испанском, русском и вьетнамском языках: «Ваш домовладелец пытается вас выселить. Дата, указанная в этой повестке, откладывается. Вы не должны приходить в здание суда в этот день. В случае неявки во время, указанное в прилагаемой повестке, штрафы не взимаются. Когда судебное производство больше не будет ограничено, вы получите уведомление по электронной почте, в котором будет указана новая дата и время для вашего появления в суде. Следуйте инструкциям в этом будущем уведомлении. От вас могут потребовать явиться в суд в это время лично, по телефонной или в электронной связи. Вы можете обратиться в окружной суд округа _____ с вопросами по адресу: ____-____-____ в следующие часы/дни:

_____.

[ADD OFFICIAL COUNTY CIRCUIT COURT NAME, LETTERHEAD OR SEAL]

NOTICE OF COURT DELAYS

Relating to COVID-19 Virus

Due to the COVID-19 virus, Oregon's Supreme Court Chief Justice has ordered that all FED (Forcible Entry and Detainer) first appearances in court be postponed during this crisis, including the one that this Summons tells you that you must attend.

THE DATE SET BY THIS SUMMONS IS POSTPONED.

You should not go to the courthouse on that date. There will be no penalties for failure to appear on the date specified in the attached summons.

You will receive a notice in the mail when court operations are no longer restricted, which will give you a new date and time to appear in court. Follow the instructions in that future notice. You may be required to appear at that time in person or by phone or electronically.

You may contact the _____ County Circuit Court with questions at:

____-____-____ during the following hours/days: _____.

VIETNAMESE

Thêm những điều sau đây bằng tiếng Tây Ban Nha, tiếng Nga và tiếng Việt: “Chủ nhà của bạn đang muốn trục xuất bạn. Ngày được chỉ định trong trát tòa này đã bị hoãn lại. Bạn không nên đến tòa án vào ngày đó. Sẽ không có hình phạt cho việc không ra hầu tòa vào ngày được chỉ định trong tờ trát tòa đính kèm. Bạn sẽ nhận được một lá thư thông báo khi các hoạt động của tòa án không còn bị hạn chế, lá thư đó sẽ cho bạn một ngày và giờ mới để ra hầu tòa. Theo sự hướng dẫn của lá thư thông báo trong tương lai. Bạn có thể được yêu cầu ra hầu tòa tại thời điểm đó trực tiếp hoặc qua điện thoại hoặc điện tử. Bạn có thể liên lạc với Tòa Thượng Thẩm Quận _____ với các thắc mắc ở số: ____-____-____ trong những giờ/ngày như sau: _____.

ODA approves permit transfer to buyer of former Lost Valley Farm

Oregon Department of Agriculture sent this bulletin at 04/06/2020 02:10 PM PDT

Having trouble viewing this email? [View it as a Web page.](#)



News release: ODA approves permit to transfer to buyer of former Lost Valley Farm

The Oregon Department of Agriculture (ODA) received the request to transfer the Confined Animal Feeding Operation (CAFO) Individual Permit (OR995129) on March 9, 2020. The request asked ODA for permission to transfer the farm's permit, otherwise known as a zero-animal clean-up permit, from former owner Greg teVelde of Lost Valley Farm to the new buyer, Easterday Farms Dairy, LLC. The property, including the buildings and infrastructure, was purchased by Easterday Farms Dairy, LLC in February 2019, after teVelde declared bankruptcy.



Upon receiving the request, ODA conducted a file review, performed an inspection of the facility and found the operation in compliance with the terms of the zero-animal clean-up permit, the amended Animal Waste Management Plan (AWMP) dated June 20, 2019, and the Order and Mutual Agreement (OMA). Moving forward, Easterday Farms Dairy, LLC must operate the facility consistent with the terms of the zero-animal clean-up permit. The permit will also remain in place until a new CAFO permit is issued or the facility is decommissioned to the satisfaction of ODA.

Easterday Farms Dairy LLC, filed for a CAFO permit in July 2019. ODA, the Oregon Department of Environmental Quality and the Oregon Water Resources Department will move through the entire CAFO permit process, including public comment, before deciding whether to issue the permit. Right now, state agencies are reviewing and providing comment on a draft CAFO permit and expect to enter into public comment by summer 2020.

Media Contact: Andrea Cantu-Schomus acantuschomus@oda.state.or.us, 503-881-9049