

## **MALHEUR COUNTY COURT MINUTES**

**NOVEMBER 16, 2016**

County Court met with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois and County Counsel Stephanie Williams.

Also present was John Braese of the Malheur Enterprise.

### **PUBLIC HEARING - SUPPLEMENTAL BUDGET**

Commissioner Hodge opened the public hearing for consideration of Supplemental Budget Resolution R16-31. Notice of the hearing was published in the Argus Observer. Ms. DuBois explained the purpose of the supplemental budget is to allocate the spending of additional funds which were received but not anticipated when the adopted budget was prepared. These are State funds for the construction of a new courthouse elevator. No public comments were received. Commissioner Hodge closed the public hearing. Commissioner Wilson moved to approve Resolution R16-31: In the Matter of Fiscal Year 2016/2017 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Hodge seconded and the motion passed unanimously. See instrument #[2016-4156](#)

### **HEALTH DEPARTMENT**

Health Department Director Angela Gerrard met with the Court. Ms. Gerrard explained that a nurse recently resigned and requested authorization to fill the position. The vacancy is the communicable disease staff position. Ms. Gerrard also asked if it were possible to review the applications received during the last nurse position vacancy rather than starting the advertising process from the beginning; Ms. DuBois said the vacancy would have to be opened. The consensus of the Court was to proceed with the advertising and hiring process for the vacant nurse position.

Ms. Gerrard also visited with the Court about the Tobacco Prevention and Education Program (TPEP). Ms. Gerrard had previously reviewed three possible staffing scenarios to address the Triennial Review compliance finding for TPEP.

The three scenarios are:

1. Hire a TPEP Coordinator; financial constraints make this option a concern.
2. Dedicate a current home visiting staff nurse as 0.5 FTE (Full Time Equivalent) home visiting and 0.5 FTE TPEP Coordinator, and utilize current support staff for TPEP Support; this scenario would meet TPEP requirements and would be more financially feasible.
3. The Director dedicating 0.25 to TPEP, and the Nurse Supervisor dedicating 0.25 to TPEP, and support staff utilized for TPEP Support; this scenario has been in effect since July 1 and is not working as evidenced by slow progress toward work plan goals and shortfall of staff hours put in the program.

The Court members discussed the matter with Ms. Gerrard; it was questioned if the communicable disease position could include TPEP; or if current office staff could be utilized as

the TPEP Coordinator. Ms. Gerrard did not feel that at this time those options were feasible. It was also discussed that the Health Department clientele include persons from Idaho. Consensus of the Court was to proceed with utilizing the home visitor position as 0.5 TPEP Coordinator.

Ms. Gerrard was asked to provide an update to the Court in the next 3-4 months.

Ms. Gerrard also told the Court that the WIC (Women, Infant and Children) Coordinator would be retiring effective December 15, 2016. Ms. Gerrard would like to work with Ms. DuBois about possible options for restructuring the WIC Program.

### **ECONOMIC DEVELOPMENT UPDATE**

Economic Development Director Greg Smith met with the Court and provided an update on activities. Mr. Smith declared a public conflict of interest as he serves in the Oregon Legislature, is the vice co-chair of the joint committee on ways and means, serves on capital construction, and serves on the transportation committee. Mr. Smith updated the Court on his recent visit to Farmer's Fresh Mushrooms in British Columbia, Canada. The company does composting, farming, packaging and processing at their Canadian facility. The company wants to expand into Malheur County. The company uses straw to create compost and a significant amount of their straw (16,000 tons) already comes from the Treasure Valley. A significant portion of their product is shipped right back to the Western US area. The company believes that eliminating the shipping expense of the straw alone would cover approximately one-half of their debt service on a new facility. The company is currently at capacity at their current location; and to meet demand they are purchasing half of their mushrooms from other farms and then repackaging them under their name. The company is the sole provider of mushrooms to Sysco Food Services; and they also package for various grocery stores. Tariffs between the United States and Canada are also an issue. Additionally, the facility's current plant manager worked at the former Oregon Trail Mushroom Company in Vale in the mid-90's and is very familiar with Malheur County. The company anticipates needing approximately 144 jobs; half would be classified as "good jobs" and half would be entry level positions. Farmer's Fresh Mushrooms is a foreign-based company which makes financing more difficult; and the type of investment is considered "singular-use" and banks do not like to finance "singular-use" facilities. Mr. Smith is researching available real estate and geothermal capacity; and is also looking into possible financing options. Mr. Smith said the company wants to visit Malheur County after the first of the year; if that site visit is positive then perhaps a second visit to the facility in Canada should be arranged.

Assessor Dave Ingram joined the meeting.

The company believes it would need an approximately 30-acre site to be used for open air composting; it would need to be outside of the city because the company is concerned about the public's perception of odor issues and they want to be a good neighbor. The farm and packing facility would need an approximate 5-acre site. The company is not interested in the former Oregon Trail Mushroom location. Farmer's Fresh Mushrooms appears to be a very successful company with over \$30 million in sales last year. The company anticipates investment costs of a new facility to be between \$15-\$25 million.

Mr. Smith continues to work with Eastern Oregon Pallet in conjunction with the EP Minerals contract requirements and the Juntura Cut-off Road project. The Coronal Group (previously Helio Sage) is now known as Cypress Creek Renewable Group; Mr. Smith and Mr. Ingram will be meeting with the company and discussing the County's Red Zone (property tax abatement) versus a fee-in-lieu program. The reload facility project is getting national and statewide attention; Mr. Smith was recently interviewed by Business and Focus magazine as well as a national onion magazine. Mr. Smith will also be highlighting the project at the Oregon Business Summit on December 5th in Portland.

Mr. Smith explained that he would like to have future conversations with the Court about developing a community and countywide strategic plan.

Mr. Smith also reviewed possible 2017 trade shows to attend. Commissioner Wilson moved that Mr. Smith attend the 2017 trade shows as presented. Commissioner Hodge seconded and the motion passed. Mr. Smith said that in the future he would like the Court to consider membership in the national onion association and participation in their meetings.

There is a rumor that Railex may be selling to Union Pacific; but it will probably not be detrimental to the reload facility project. Follow-up is being done with Project Violet now that Measure 97 did not pass. Project Falcon had a site visit to the area; two major challenges for the company are wastewater issues due to Oregon laws and Idaho Power's power cost estimate. Staff is currently working on three other business leads. Additionally, Mr. Smith is advertising for a part-time employee to staff the Ontario office.

Mr. Braese left the meeting.

### **ASSESSOR'S OFFICE**

Assessor Dave Ingram met with the Court and told them the Chief Appraiser is retiring January 3, 2017. Mr. Ingram requested authorization to start the hiring process; consensus of the Court was to proceed with the advertising/hiring process.

### **MINUTES**

Commissioner Wilson moved to approve Court Minutes of November 2, 2016 as written. Commissioner Hodge seconded and the motion passed.

### **OWYHEE LAKE ROAD FLAP**

Commissioner Hodge moved to approve the Federal Lands Access Program (FLAP) Project Memorandum of Agreement for Owyhee Lake Road. Commissioner Wilson seconded and the motion passed. The project budget is \$125,000; and the County's match is \$12,838. This is a planning project to develop a Corridor Plan to enhance approximately 20.5 miles of Owyhee Lake Road.

### **LEASE AGREEMENT - FAIRGROUNDS**

Commissioner Wilson moved to approve Residential Lease Agreement with Andreas Bengsch for the home at the fairgrounds. Commissioner Hodge seconded and the motion passed. See instrument #[2016-4157](#)

### **CROSSING PERMITS**

Commissioner Wilson moved to approve Crossing Permit #31-16 to SREC for a diesel fuel cleanup on Halliday Road #869; and moved to approve Crossing Permit #32-16 to Idaho Power to replace a broken pole on Alberta Avenue #768. Commissioner Hodge seconded and the motion passed. Original permits will be kept on file at the Road Department.

### **VETERANS' AFFAIRS GRANT AGREEMENT**

Commissioner Hodge moved to approve State of Oregon Oregon Department of Veterans' Affairs Transportation of Veterans in Highly Rural Areas Grant Agreement – Malheur County. Commissioner Wilson seconded and the motion passed. Grant funds are not to exceed \$45,000 and cover the period of September 15, 2016 through September 14, 2017. A copy will be returned for recording.

### **AMENDMENT - MALHEUR MEMORIAL CONTRACT**

Commissioner Hodge moved to approve Fourth Amendment to Personal Service Contract for Medical Services in the Malheur County Jail, which was recorded with the Malheur County Clerk as Instrument Number 2011-1585. Commissioner Wilson seconded and the motion passed. See instrument #[2016-4154](#)

### **MALHEUR WATERSHED COUNCIL**

Commissioner Hodge moved to appoint Andy Bentz to the Malheur Watershed Council. Commissioner Wilson seconded and the motion passed.

### **EASTERN OREGON COMMUNITY BASED SERVICES HUB**

Commissioner Wilson moved to appoint Mark Redmond to the Eastern Oregon Community Based Services Hub Board. Commissioner Hodge seconded and the motion passed. Mr. Redmond replaces Steve Phillips on the board.

### **SUPPLEMENTAL BUDGET**

Commissioner Wilson moved to approve Resolution R16-32: In the Matter of Fiscal Year 2016/2017 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Hodge seconded and the motion passed. The purpose of the supplemental budget is to allocate the spending of BLM (Bureau of Land Management) Backcountry grant funds which were received but not anticipated when the adopted budget was prepared. These funds are to be used for patrolling BLM backcountry of Malheur County. See instrument #[2016-4155](#)

### **COURT ADJOURNMENT**

Court was adjourned.