

## **MALHEUR COUNTY COURT MINUTES**

**April 12, 2023**

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. in the County Court Office of the Malheur County Courthouse with Commissioner Ron Jacobs and Commissioner Jim Mendiola present. Staff present was Administrative Officer Lorinda DuBois. Members of the media, public, and staff had the opportunity to join the meeting electronically or in-person. Notice of the meeting was posted on the County website, Courthouse bulletin board, and emailed to the Argus Observer, Malheur Enterprise, and those persons who have requested notice. The meeting was audio recorded. The agenda is recorded as instrument # 2023-1032

### **SECOND PUBLIC HEARING - ORDINANCE NO. 231 UPDATING NOXIOUS WEED CONTROL**

Judge Joyce opened the public hearing for Ordinance No. 231: In the Matter of an Ordinance Amending Title 3, Chapter 3 of the Malheur County Code Entitled Noxious Weed Control and Declaring an Emergency. Notice of the hearing was published in the Argus Observer and posted on the County website. Present for the hearing was Weed Inspector Amanda Zander. No proponent or opponent testimony was received; no written comments were received. Judge Joyce closed the hearing.

Commissioner Jacobs noted that two public hearings have been held regarding the ordinance and the main change is elimination of the weed advisory board. Commissioner Jacobs moved to approve Ordinance No. 231: In the Matter of an Ordinance Amending Title 3, Chapter 3 of the Malheur County Code Entitled Noxious Weed Control and Declaring an Emergency. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2023-1033

### **CROSSING PERMITS**

Commissioner Jacobs moved to approve Crossing Permit #15-23 to Idaho Power Company for work on Malheur Drive #896; Permit # 16-23 to Oregon Telephone Corp for work on Clark Blvd. #857; Permit # 17-23 to Oregon Telephone Corp for work on Copeland Road #615; and Permit # 18-23 to Oregon Telephone Corp for work on 9th Ave W #511 and S Road G #512. Commissioner Mendiola seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

### **COURT MINUTES**

Commissioner Mendiola moved to approve Court Minutes of April 5, 2023 as written. Commissioner Jacobs seconded and the motion passed unanimously.

### **FUNDING AGREEMENT - MCDC**

Commissioner Jacobs moved to approve Agreement for Funding with Malheur County Development Corporation (MCDC). Commissioner Mendiola seconded and the motion passed

unanimously. The agreement provides funding for an executive director, operations and supplies, and construction of Track C. The agreement expires June 30, 2024. See instrument # 2023-1034

#### **SUPPLEMENTAL BUDGET**

Commissioner Jacobs moved to approve Supplemental Budget Resolution R23-13: In the Matter of Fiscal Year 2022/2023 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Mendiola seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate rental income in the Sheriff's budget that was not anticipated when the adopted budget was prepared; these funds will be used for Ironhead Building maintenance. See instrument # 2023-1036

#### **AGREEMENT - ENGINEERING NORTHWEST LLC**

County Counsel Stephanie Williams presented an agreement with Engineering Northwest LLC (Limited Liability Company) (Pat Woodcock, PE (Program Element)) for the Court's consideration. The agreement is for a third-party analysis, as requested by Senator Lynn Findley and Representative Mark Owens to ensure the Treasure Valley Reload Center (TVRC) "facility is fully operational. including: Degree of confidence, Timeline, and Total cost + financial plan, including contingencies". Engineering Northwest will conduct the analysis and provide an opinion for construction costs, timeline and degree of confidence to fully complete construction of the TVRC including an itemization of the approximate \$8.5 million dollars sought by the County. The maximum, not-to-exceed compensation to Engineering Northwest is \$50,000; the schedule for the work is April 1, 2023 to May 10, 2023. Commissioner Jacobs moved to approve Agreement for Professional Services between Malheur County and Engineering Northwest LLC. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2023-1035

#### **EASTERN OREGON BORDER BOARD**

Commissioner Mendiola moved to submit the following names to the Governor to fill vacancies on the Eastern Oregon Border Economic Development Board: Taylor Rembowski, Tim Heinz, Montessa Young, Brette Wagstaff, Nickie Shira, and Angelene Mendez. Commissioner Jacobs seconded and the motion passed unanimously. Border Board has solicited for persons interested in serving on the board and these individuals have expressed interest. There are three vacancies on the Board; the Governor makes the appointments.

#### **CHECK REGISTER**

Commissioner Jacobs moved to approve the Accounts Payable register for March 2023. Commissioner Mendiola seconded and the motion passed unanimously.

#### **COOPERATING AGENCY MOU - BLM**

Commissioner Jacobs moved to approve Memorandum of Understanding (MOU) between the Department of the Interior, Bureau of Land Management (BLM), and Malheur County, Oregon as Cooperating Agencies for Development of the Programmatic Environmental Impact Statement (EIS) and Associated Resource Management Plan Amendments for Utility-Scale Solar Energy Development on Public Lands. Commissioner Mendiola seconded and the motion passed

unanimously. The MOU establishes the cooperating agency relationship for the purpose of developing a draft and final Programmatic EIS and any associated draft and proposed Resource Management Plan Amendments (RMPA) for utility-scale solar energy development on BLM-administered public lands. A copy will be returned for recording.

**PROCLAMATION**

**PROCLAMATION PUBLIC SAFETY TELECOMMUNICATIONS WEEK  
APRIL 9-15, 2023  
BY THE MALHEUR COUNTY COURT, OREGON**

WHEREAS, since 1981 the Congress of the United States, and the President of the United States have established one week in April as National Telecommunicators Week; and

WHEREAS, recognizing that telecommunicators are critical to the interest and well-being of the community, the Malheur County Court, recognized our local Telecommunicators as “First Responders” in resolution number R20-28 on July 15, 2020; and

WHEREAS, emergencies can occur at any time of the day and night. They can range from a serious medical emergency, to an active fire or need for law enforcement assistance. Often when an individual encounters an emergency they reach for the phone and dial 911. The men and women who answer these calls for help are trained to gather essential information, dispatch the proper resources and provide vital information and instructions to a caller in distress; and

WHEREAS, public safety telecommunicators are more than a calm and reassuring voice at the end of the phone. They are knowledgeable and skilled professionals who work closely with law enforcement, fire and medical personnel; and

WHEREAS, our County enjoys a high standard of public health and safety and we owe a great deal of gratitude to them. During this special observance we extend a profound thank you to each operator who answers our request for help -- Tom, Kathy, Carisa, Stephanie, Ashley, Michele, Candice, Brooke, Shelby and Jason.

NOW THEREFORE, the Malheur County Court Proclaims the week of April 9th-15th to be Malheur County Public Safety Telecommunicator’s Week. We invite all residents to observe this week in honor of our telecommunicators who help protect our health and safety.

The Court signed the proclamation.

**COURT ADJOURNMENT**

Judge Joyce adjourned the meeting.

\*\*The Malheur County Compensation Board met on April 12, 2023; meeting minutes are recorded as instrument # 2023-1110

\*\* Temporary Employment Agreement to Perform Duties of a Dispatcher - Malheur County Sheriff's Office with Brittany Lawrence is recorded as instrument # 2023-1099