

MALHEUR COUNTY COURT MINUTES

MAY 11, 2016

The Malheur County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Lorinda DuBois and County Counsel Stephanie Williams was present for portions of the meeting.

Also present was Larry Meyer of the Argus Observer; and public member Mike Hanigan.

TREASURE VALLEY PARAMEDICS (TVP)

Steve Patterson from Treasure Valley Paramedics met with the Court and discussed a proposed rate increase. It has been seven years since the last rate increase. It is proposed to increase rates 10%. Costs of operations continue to increase, especially insurance costs. Vehicles are aging too and will need to be replaced.

The Court took the proposal under advisement. A recommendation from the ASD (Ambulance Service District) Advisory Board will be requested; and the Court will determine if they wish to schedule a public hearing on the rate proposal.

BUDGET BOARD MEETING MINUTES

Commissioner Hodge moved to approve Budget Meeting Minutes of April 26 and April 27, 2016 as written. Commissioner Wilson seconded and the motion passed unanimously.

COURT MINUTES

Commissioner Wilson moved to approve Court Minutes of May 4, 2016 as written. Commissioner Hodge seconded and the motion passed unanimously.

PERSONNEL POLICIES

County Counsel Stephanie Williams presented several personnel policies for the Court's consideration. Policy 313 - Workers' Compensation Insurance was updated. Policy 117 - Separation From Employment is a new policy and addresses resignation and retirements. Additionally, a form for Request to Perform Union/Association Duties Without Loss of Pay was drafted. Commissioner Wilson moved to approve Request to Perform Union/Association Duties Without Loss of Pay (form only); Policy 117 - Separation From Employment; and updated Policy 313 - Workers' Compensation Insurance. Commissioner Hodge seconded and the motion passed unanimously. See instrument #[2016-1596](#); [2016-1595](#); and [2016-1594](#)

AMENDMENT - IGA 148021

Commissioner Wilson moved to approve Sixth Amendment to Oregon Health Authority 2015-2017 Intergovernmental Agreement for the Financing of Public Health Services. Commissioner Hodge seconded and the motion passed unanimously. The amendment modifies Program Element #09: Public Health Emergency Preparedness Program Ebola Supplement 2. A copy will be returned for recording.

RAILEX LETTERS

The Court signed letters to Railex officials thanking them for their visit and meeting with Malheur County Economic Development in April 2016. See instrument #[2016-1597](#)

DEED - SHARRAI

Commissioner Hodge moved to approve Statutory Bargain and Sale Deed to Robert and Gloria Sharrai for Ref. #1289. Commissioner Wilson seconded and the motion passed unanimously. This is property that did not sale at the April land sale. Two written offers to purchase the property were received after the land sale and Ms. Sharrai was the highest bidder. See instrument #[2016-1600](#)

AGREEMENT WITH JORDAN VALLEY AMBULANCE

Commissioner Hodge moved to approve Agreement for Emergency Ambulance Service within the Jordan Valley Ambulance Service Area. Commissioner Wilson seconded and the motion passed unanimously. Jordan Valley Ambulance Service provides intermediate life support (ILS) ground ambulance services. See instrument #[2016-1598](#)

OWYHEE CANYONLANDS

Commissioner updated the other Court members on recent activity of the Owyhee Basin Stewardship Coalition. The Coalition continues to raise funds to support efforts to fight the proposed Owyhee Canyonlands national monument designation. Leaders of the group recently met with Kurt Richardson of Keen Footwear.

RESOLUTION - CORRECTION ACTION

Commissioner Wilson moved to approve Resolution No. R16-14: A Resolution Acknowledging Budget/Audit Deficiencies Incurred in Fiscal Year 2014 and Describing Correction Action as Prescribed in ORS 267.456. Commissioner Hodge seconded and the motion passed unanimously. The resolution will be submitted to the Office of the Secretary of State, Audits Division, as required. See instrument #[2016-1599](#)

MAP MAINTENANCE AGREEMENT

Commissioner Wilson moved to approve Intergovernmental Services Agreement Contract #3521-16 with Department of Revenue for map maintenance and related cartographic activities. Commissioner Hodge seconded and the motion passed unanimously. A copy will be returned for recording. See instrument #[2016-1686](#)

CHECK REGISTER

Accounting Specialist Judy Bond met with the Court. The Court signed the Accounts Payable register for March 2016.

Shelly Dennis joined the meeting.

ROAD DEPARTMENT/ BULLY CREEK PARK

Road Supervisor Richard Moulton met with the Court and presented a gravel purchase agreement for their consideration. Commissioner Hodge moved to approve Agreement between Malheur County Road Department and Justin A. Jacobs for the purchase of gravel from Mr.

Jacobs gravel pit at 2476 Hwy 20, Vale. Commissioner Wilson seconded and the motion passed unanimously. The County will purchase 7,500 ton of gravel for \$37,125 (\$4.95 a ton). See instrument #[2016-1602](#)

Results of a water sample taken April 20, 2016 at Bully Creek Park showed arsenic levels of .276 milligrams per liter. This is above the arsenic standard or maximum contaminant level of 0.010 milligrams per liter. Signs will be posted at the park advising people of the high levels of Arsenic. The public is encouraged to bring their own source of drinking water.

Mr. Moulton mentioned the Wilcox gravel site is for sale and he is interested in purchasing the property. Commissioner Wilson suggested a committee be formed to analyze the rock source and purchase price.

ECONOMIC DEVELOPMENT

Economic Development Director Greg Smith, Assistant Phil Scheuers, and Melisa Drugge from Business Oregon met with the Court. Mr. Smith provided an update of activities. The office is working on three project leads; Project One; Project Violet; and Project JP.

Project One is a company currently located in the Willamette Valley that is interested in expansion; Project Violet is a solar company looking to expand into Malheur County; Project JP is a local packer/shipper working on their second expansion.

It was discussed that there are jobs in the area; the trick is finding workers who want to meet the needs of the jobs. Mr. Smith indicated that at some point in time part of the economic development strategy is going to need to include workforce development.

Ms. Drugge updated the Court on the Juntura Cut-off Road project. The Oregon Transportation Commission (OTC) is meeting this month and will be finalizing a couple of the funding sources. Business Oregon is in the process of finalizing its funding sources. Approval of all funding sources should be completed by the end of the month then the process of drafting the various contracts will begin. Once the contracts are all in place the design process will begin. Mr. Smith explained that with the road project EP Minerals will be able to verify that 48 jobs were retained; and an additional 20 jobs will be created between now and 2020. Also, the creation of a pallet making operation with a local business is underway. EP Minerals is also excited about the possibility of a future partnership with Railex.

Mr. Smith explained that Railex is working through their internal process to determine what the market opportunity is here. A list of local shippers has been provided to Railex. Additionally, Representative Bentz and Mr. Smith have both been appointed to the Joint Committee on Transportation Perseveration and Modernization. The committee has been tasked with the development of a significant transportation and infrastructure package for the 2017 Legislative Session. The transportation package is expected to make investments in Oregon's highways, bridges, ports, and rail system and conversations include a transload facility request in the package.

Mr. Scheuers explained that Helio Sage changed its name and is now part of the Coronal Group; new agreements for local solar projects with the Coronal Group were recently finalized.

Mr. Smith also said they are working with the Argus Observer to have a monthly Economic Development column in the paper; and continue to work closely with the TVCC (Treasure Valley Community College) Business Center. Mr. Smith is also working to recruit a medical provider for purchase of an existing medical clinic.

LIFEWAYS - CDBG RECOVERY CENTER

Meeting with the Court from Lifeways were: Judy Cordeniz, Jesse Sandoval, Lucas Hooker, Ken Rush, Board Member Mike Hanigan, and Tawni Bean and Becky Baxter from Business Oregon. Ms. Bean explained that Lifeways is interested in pursuing a Community Development Block Grant (CDBG) for their Recovery Center and is hopeful that the County will sponsor the grant. Ms. Bean and Ms. Baxter explained some of the components of a CDBG. If the County sponsors the grant they must see the project through from beginning to end; and must own the facility for five years. The County would be the applicant and be responsible for all procurements, including public procurement for a grant administrator and construction contractor. Lifeways can assist the County but the County is ultimately the responsible party.

Ken Rush gave a summary of the Recovery Center project. The current facility was built in 1986 and is in need of major repairs that are not logistically possible to do. The new facility would be constructed on the existing location. A capital campaign to raise funds for the project has been started. Lifeways is also pursuing additional grants to assist with the project. It is estimated to be a 3 million dollar project. It is believed that operations could continue in the existing facility while the new facility is under construction.

It was explained that the next CDBG application period opens September 1; and award notifications will be the end of November. The CDBG is a 1.5 million grant; and all matching funds must be in place when the application is submitted. The CDBG is a very competitive process but the Recovery Center would more than likely be ranked a high priority project. CDBG funds can be used for a grant administrator; labor standards compliance person; and for environmental review. Funds may not be used for project manager; however the County and Lifeways could enter into a separate agreement for Lifeways to fund a project manager. Davis-Bacon compliance and BOLI (Bureau of Labor and Industries) must be followed.

County staff expressed concerns with timeliness of payments on past CDBG projects. Ms. Bean and Ms. Baxter acknowledged those concerns and explained that with internal staff changes and perhaps with changes in bid documents/contracts those concerns might be alleviated.

Ms. Cordeniz explained that Lifeways has staff to dedicate to assist the County with the CDBG process.

The Court took the request to sponsor a CDBG under advisement.

SUGAR AVENUE - RURAL ROAD DISTRICT #3

The Court received correspondence from Rural Road Assessment District #3 concerning a drainage issue at 712 Sugar Avenue. Staff will follow-up on the matter.

EXECUTIVE SESSION

Executive Session was called in accordance with ORS 192.660(2)(h) - Legal Counsel with Judge Joyce presiding and Commission Hodge and Commissioner Wilson present. Also present was County Counsel Stephanie Williams, Administrative Officer Lorinda DuBois, and Larry Meyer of the Argus Observer. No decisions were made during the session.

AGREEMENT WITH LINN COUNTY

Commissioner Hodge moved to sign the litigation agreement concerning SB 454 with Linn County. Commissioner Wilson seconded and the motion passed unanimously.

COURT ADJOURNMENT

Court was adjourned.