

MALHEUR COUNTY COURT MINUTES
May 24, 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 # 2023-1536

PUBLIC HEARING - RATE INCREASE FOR ONTARIO SANITARY SERVICE

Present for the public hearing for consideration of rate increases for Ontario Sanitary Service were Mark Fulwiler and Nathan Wilson from Ontario Sanitary Service/Waste Connections and Planner/Interim Environmental Health Director Eric Evans. Notice of the hearing was published in the Argus Observer. Judge Joyce opened the hearing. A rate increase of 8% to the current Residential Service rates was proposed; establishment of new zones and rates for Roll-Off (Drop Box) Services was proposed; and establishment of Commercial Services rates for front load containers was proposed. No written comments were received; and no public members were present to verbally comment. The hearing was closed. Commissioner Jacobs moved to approve the requested rate changes/increase. Commissioner Mendiola seconded and the motion passed unanimously. The changes are effective July 1, 2023. See instrument# 2023-1538

CROSSING PERMITS

Commissioner Mendiola moved to approve Crossing Permit # 24-23 To JA Miller Utility for work on NW 10th Avenue #1541; and Crossing Permit # 25-23 to Ben Palmer to cross Copeland Road #615 with a mainline. Commissioner Jacobs seconded and the motion passed unanimously. The original permits will be kept on file at the Road Department.

SPECIAL MEETING MINUTES

Judge Joyce moved to approve Special Meeting Minutes of May 8, 2023 (Move Oregon Border Meeting) as written. Commissioner Mendiola seconded and the motion passed. (Commissioner Jacobs was absent on May 8, 2023.)

COURT MINUTES

Commissioner Jacobs moved to approve Court Minutes of May 17, 2023. Commissioner Mendiola seconded and the motion passed. (Judge Joyce was absent on May 17, 2023.)

PLANNING COMMISSION

Planner/Interim Environmental Health Department Director Eric Evans met with the Court. Mr. Evans explained that Planning Commission member Rob Kindschy had resigned. Verbal interest

in the position was expressed by a couple of individuals; one individual submitted a completed volunteer form. Commissioner Mendiola moved to appoint Carol Skerjanec to the Planning Commissioner. Commissioner Jacobs seconded and the motion passed unanimously.

Idaho Power has been put in contact with BLM (Bureau of Land Management) regarding the archeologist piece that is pending for the power line project for Lytle Boulevard Landfill.

OREGON DEPARTMENT OF FISH & WILDLIFE (ODFW)

ODFW Klamath & Malheur Watersheds District Manager Philip Milburn, Wildlife Biologist Tucker Freeman and Fish Biologist Dave Banks met with the Court to provide an update of activities; introductions were made and questions from the Court members were answered. Fish are being stocked throughout Malheur county. Snowmagedon was tough on big game populations; populations are now doing a little better. Almost 1000 elk were counted in Beulah. 135 Pronghorn were counted last summer in Beulah. Sheep herds are still dealing with pneumonia outbreaks. Deer populations are slowly coming back. Upland game bird population was good last year and should be this year.

Pat Caldwell of the Malheur Enterprise joined the meeting.

HEALTH DEPARTMENT - STRATEGIC PLAN

Health Department Director Sarah Poe met with the Court and presented the Health Department 2023-2026 Strategic Plan. Creating a strategic plan is step one for the process of accreditation (accreditation is a national certification that says your local public health department is meeting expected standards). The strategic plan describes the various programs and sets program goals. The Health Department has 28 people filling 25.3 FTE (Full Time Equivalent) (some staff are part-time); 11 are bilingual; and 20% of the staff have been with the Health Department for more than 20 years. The Health Department has 11 programs and those are addressed in the strategic plan. Ms. Poe reviewed the programs and one goal of each program in the strategic plan. There are 32 streams of funding that support the 11 programs. Ms. Poe shared that she is focused on long-term sustainability planning for the budget and the organizational structure making sure the department is set up for success. An Annual Report reflecting on the goals within the strategic plan will also be completed. See instrument # 2023-1559 for the complete 2023-2026 Strategic Plan.

Les Zaitz of the Malheur Enterprise joined the meeting.

SHERIFF'S OFFICE

Sheriff Travis Johnson and IS (Information Services) Director Joshua Kreger met with the Court regarding the servers needed for the Motorola software project. Sheriff Johnson requested authorization to order the servers, on a net 90; it is hoped that Eastern Oregon Border Board will grant funding to pay for the servers, but in the event that they don't the servers are still needed to complete the project (the County would pay for the servers through ARPA (American Rescue Plan Act) funds with the cities of Nyssa and Ontario later contributing funds). The timeline for the Motorola project requires the servers to be up and running by June 12; the server has a 5-year

warranty and should last 8-9 years. Mr. Kreger explained that two servers are needed but the project can move forward with one server initially. After discussion, Commissioner Jacobs moved to authorize one server be ordered immediately for the Motorola software project. Commissioner Mendiola seconded and the motion passed unanimously.

There is currently one sergeant position vacant (previously held by Undersheriff Kesey; and a second position will be open in June or July when Sgt. Speelman retires. There are still several vacancies in the jail.

MALHEUR COUNTY DEVELOPMENT CORPORATION (MCDC)

MCDC Executive Director Shawna Peterson met with the Court. Ms. Peterson explained that she will be asking for authorization to proceed with presenting financial information and advocating for the \$8.5 million legislative request for the Treasure Valley Reload Center project. Pat Woodcock (Engineering Northwest LLC (Limited Liability Company)) has completed his third-party analysis of the Treasure Valley Reload Center project on the work that remains to be done to complete the reload center to fully operational. Ms. Peterson shared a funding document she created for the project and explained the figures in the document to the Court.

See attached funding document.

Ms. Peterson explained she supports the \$8.5 million request to the legislature and recommends that the request not be increased. Approximately \$2 million in outside financing would need to be obtained. Ms. Peterson is also looking into the agreement with the City of Nyssa for water to the project site. Ms. Williams noted that the County has authorized \$200,000 for MCDC to pay outstanding invoices and suggested that it maybe should be reflected in the Prior Unmet Expenses line item. Commissioner Jacobs noted he agrees with not increasing the request to the legislature. Judge Joyce moved to authorize Ms. Peterson to proceed with pursuing the approximate \$8.5 million request to the legislature (not to exceed the County's request of March 2023). Commissioner Jacobs seconded and the motion passed. Commissioner Mendiola was a No; Commissioner Mendiola expressed that he would like to see more investment into the project from the onion industry. Commissioner Jacobs noted that the reload center project needs to move forward before any additional work is done on the industrial park. Commissioner Jacobs and Commissioner Mendiola expressed appreciation to Ms. Peterson for her work with MCDC and the project. See instrument # 2023-1560 for the document Ms. Peterson shared with the Court.

Pat Caldwell and Les Zaitz asked questions of the Court members concerning the project.

RESOLUTION GUARANTEEING LINE OF CREDIT

Commissioner Jacobs moved to approve Resolution R23-18 - In the Matter of: Resolution Extending and Guaranteeing the Line of Credit with Bank of Eastern Oregon to the Malheur County Development Corporation in the amount of \$4 Million Dollars in order to build/complete the Treasure Valley Reload Center, pay bills and receive reimbursement from the Oregon Department of Transportation under Oregon State Agreement No. 33744 and amendments thereto; and Authorizing Malheur County to be the Guarantor. Commissioner Mendiola seconded and the motion passed unanimously. The County will need to pay the interest and loan fee to extend the

line of credit; the principal on the line of credit is approximately \$1.3 million and will continue to accrue interest - the County may consider paying the principal or a portion of the principal. See instrument # 2023-1537

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.