

## **MALHEUR COUNTY COURT MINUTES**

**June 29, 2022**

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 Don Hodge and Commissioner Ron Jacobs present. Members of the media, public, and staff had the opportunity to join the meeting electronically or in-person. Administrative Officer Lorinda DuBois and County Counsel Stephanie Williams were present. Les Zaitz with the Malheur Enterprise was present. Various members of the public were present in the meeting room at various times of the meeting. 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 # 2022-3106

### **MOU - BOXING RING**

Mike Padilla with Ontario School District met with the Court; also present was Ontario School District Board Member and Ontario City Councilor Eddie Melendez. Mr. Padilla is starting a boxing program through the Ontario School District. The City of Ontario agreed to contribute \$6,000 towards the startup of the program; Mr. Padilla requested the County also contribute \$6,000. The Ontario School District will eventually take over the program but the school's budget for the 2022/2023 school year is already completed and did not include the boxing program funding. The program will be a part of USA Boxing and will be part of the Ontario School District. Approximately 27 youth are interested in signing up for the program. Mr. Padilla hopes to hold a minimum of three boxing events each year.

The County through the Juvenile Department owns a boxing ring that was purchased with Juvenile Crime Prevention Funds; it is no longer used and is in storage and it is proposed that the County enter into a MOU (Memorandum of Understanding) with Ontario School District for its use at the Ontario Middle School facility.

Commissioner Jacobs inquired if the use of the boxing ring and participation in the program would be available to all of the school districts in the County; not exclusively Ontario School District. Mr. Padilla explained the program would be an Ontario School District sports program; however, he will inquire if the school district would allow students in other Malheur county school districts to participate, as an independent, in the program as it would be sanctioned through USA Boxing. After discussion, it was agreed that Mr. Padilla would meet again with the Court on July 13th.

### **PIONEER HEALTH DISTRICT**

Pioneer Health District board members Dennis Buttice and John Nalivka, CEO Corey Crismon, and Business Office Manager Katie Braniff met with the Court to followup on the request for the County to provide ARPA (American Rescue Plan Act) funding to the Health District. It was discussed that the documents previously provided included dates prior to what ARPA allows; Ms.

Braniff explained that those documents were provided as examples to show how much costs have increased (i.e. 2018 vs current) in an effort to demonstrate Pioneer's financial situation due to the impacts of COVID. Ms. Braniff explained her understanding that there is nothing in the ARPA requirements that requires funding be on a reimbursement basis; only showing a loss of revenue and expenses above and beyond for the funding requested and what its use would be. Labor costs were high due to COVID; staff were retained even when the census was low, additionally, traveling nurses and CNA's (Certified Nursing Assistant) were utilized due to staff being out with COVID. The Court explained that receipts/documentation for reimbursement are needed as the County must report on all expenditures and provide documentation for audit requirements. ARPA funds can be used to cover eligible costs incurred beginning March 3, 2021. Ms. Braniff will gather additional documentation for the Court's consideration.

### **CROSSING PERMITS**

Commissioner Jacobs moved to approve Crossing Permit #27-22 to VOID to fix pipe on Hope Road #569; Permit #28-22 to AT&T Corp. for utility work on Stanton Blvd. #762; and Permit #29-22 to AT&T Corp. for utility work on Lockett Road #730. Commissioner Hodge seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

### **COURT MINUTES**

Commissioner Hodge moved to approve Court Minutes of June 22, 2022 as written. Commissioner Jacobs seconded and the motion passed unanimously.

### **UPDATED COUNTY POLICIES**

Commissioner Jacobs moved to approve updated County Policy 310 - Paid Holiday Benefit. Commissioner Hodge seconded and the motion passed unanimously. See instrument # 2022-3112  
Commissioner Hodge moved to approve updated County Policy 309 - Donation of Vacation Benefits. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # 2022-3111

### **CONTRACTS - TVP**

Commissioner Hodge moved to approve Personal Services Contract for Emergency Medical and Ambulance Services for the Nyssa ASA (Ambulance Service Area); and Personal Services Contract for Emergency Medical and Ambulance Services for the Ontario ASA (Ambulance service area) with TVP (Treasure Valley Paramedics) Inc. Commissioner Jacobs seconded and the motion passed unanimously. The term of the contracts are for 5 years. See instrument # 2022-3113 and 2022-3114. Present from TVP were Steve Patterson, Heather Land, and Attorney Shawn Logan; Mr. Patterson and Ms. Land also signed the contracts.

### **RESOLUTION - DIRECTORS HOLD/LIFEWAYS**

Commissioner Jacobs moved to approve Resolution R22-18: Resolution Authorizing Andrea Recla, Oscar Hernandez, Austin Robishaw, Ryan Kelly, Laurie Smith, Brady Smith, David Tovar, Sarah Reece, Ron Van Ausdal, Katrina Alford, Madison Shira, Tom Koberlein, and Gaby Kissell to Direct a Peace Officer or Approved Secure Transport Provider to Take Allegedly Mentally Ill

Persons into Custody. Commissioner Hodge seconded and the motion passed unanimously. See instrument # 2022-3108

### **IGA - MARION COUNTY**

Commissioner Jacobs moved to approve Intergovernmental Agreement JV-4774-22 between Marion County and Malheur County for Juvenile Detention care services. Commissioner Hodge seconded and the motion passed unanimously. The agreement expires June 30, 2025. See instrument # 2022-3107

### **EMPLOYMENT AGREEMENT - DELONG**

Commissioner Hodge moved to approve Malheur County A-level Electrical Inspector Employment Agreement with Mike DeLong. Commissioner Jacobs seconded and the motion passed unanimously. The agreement is necessary pursuant to ORS (Oregon Revised Statutes) 479.855(4)(a) as an emergency circumstance currently exists within the County Building Program. The emergency circumstance is that on a temporary basis there is not enough electrical inspection coverage that meets the Program requirements. Mr. DeLong is a signing supervisor for Vale Electric and is in the process of applying and sitting for the Oregon electrical inspector exam; Mr. DeLong will not inspect any building/residence in which Vale Electric is the electrical contractor. See instrument # 2022-3109

### **ACCEPTANCE OF RESIGNATION - GREGORY SMITH & COMPANY**

Commissioner Hodge moved to accept the resignation of Gregory Smith & Company, LLC for economic development services. Commissioner Jacobs seconded and the motion passed unanimously. Commissioner Jacobs noted that Mr. Smith has assisted many small businesses in the community with obtaining financing, worked with state legislators to bring funding into the county, and expressed appreciation for the work Mr. Smith has done for the County. Commissioner Jacobs also expressed concern about negative publicity that the County and Mr. Smith has received and expressed his desire for relationships with local media to become more positive. Commissioner Jacobs also expressed appreciation for the numerous volunteers who serve on various boards as appointed by the County Court. Commissioner Hodge and Judge Joyce concurred with Commissioner Jacobs. See instrument #2022-3110 for the letter of resignation.

### **PUBLIC COMMENTS**

Mike Walker inquired if Mr. Smith had provided the Court a comprehensive set of handover notes. Les Zaitz inquired if there would be contract extension during the transition period.

Mr. Walker encouraged the Court to prioritize the reload center project over economic development.

The Court members noted that MCDC (Malheur County Development Corporation) may want to contract with Mr. Smith to continue the Treasure Valley Reload Center; the Court is awaiting input from the MCDC board.

### **COURT ADJOURNMENT**

Judge Joyce adjourned the meeting.