

MALHEUR COUNTY COURT MINUTES
June 8, 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. Present in the meeting room was Administrative Officer Lorinda DuBois and Planner Eric Evans; public member Mike Walker; and Ryan Bailey. 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 # 2022-2828

PIONEER HEALTH DISTRICT

Pioneer Health District Board Chairman Dennis Buttice, CEO (Chief Executive Officer) Corey Crismon, and Jessica Rollf met with the Court; also present electronically was Business Office Manager Katie Hamilton-Braniff. The Health District provided additional information on their request for funding from the County's ARPA (American Rescue Plan Act) funds. The Court asked that Ms. DuBois review the information provided by Pioneer Health District. See instrument # 2022-2831 for the written correspondence.

MEASURE 109 - PSILOCYBIN

Planner Eric Evans met with the Court and discussed Ballot Measure 109, the Psilocybin Program Initiative. The statewide ballot measure passed in the November 2020 General Election. The measure allows for the manufacture, delivery, and administration of psilocybin at supervised licensed facilities; the measure had a two-year development period. In Malheur County the measure failed with 69.42% voting against the measure and 30.58% voting in support of the measure. The program will be housed within the Oregon Health Authority (OHA) Public Health Division's Center for Health Protection under the Oregon Psilocybin Services Section and will begin accepting applications for licensure January 2, 2023. Final rules for the program will be adopted by December 31, 2022. Four types of licenses will be issued by OHA: Manufacture, Operator, Facilitator, and Tester. A governing body of a city or county may adopt ordinances to be referred to the electors at the November 2022 general election that prohibit the establishment of psilocybin production (cultivation), manufacturing (processing/edibles) or service centers (commercial land use). If a county or city takes no action, it is automatically opted in to the program. Consensus of the Court was for staff to pursue drafting ordinances to opt out of the psilocybin program and refer the matter to the voters in the November 2022 General Election. See instrument #2022-2847 for the complete memo to the Court.

CROSSING PERMITS

Commissioner Jacobs moved to approve Crossing Permit #24-22 to Pat McGourty to bury electrical conduit across Bit Road #1101; Permit #25-22 to Idaho Power Company for work on Miller Road #833 and Foxtail Road #836; and Permit #26-22 to Idaho Power Company for work

on Cassia Road #953 and Foxtail Road #836. 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 May 25, 2022. Commissioner Jacobs seconded and the motion passed unanimously.

BARGAINING AGREEMENT - SHERIFF'S ASSOCIATION

Commissioner Jacobs moved to approve Integrated Collective Bargaining Agreement between Malheur County Sheriff's Office and Malheur County Sheriff's Association. Commissioner Hodge seconded and the motion passed unanimously. The agreement expires December 31, 2024. See instrument #2022-2884

CONTRACT - ANI-CARE

Commissioner Hodge moved to approve Contract with Ani-Care Animal Shelter, Inc. Commissioner Jacobs seconded and the motion passed unanimously. Ani-Care will accept delivery, custody, and responsibility of care and disposition for abandoned or stray canines located within the confines of Malheur County (not city limits); Ani-Care is not responsible for the initial capture and transportation of the abandoned or stray canines. Financial consideration is \$3391.66 per month; the contract expires June 30, 2023. See instrument # 2022-2830

AMENDMENT TO AGREEMENT - GOLDTHORPE

Commissioner Jacobs moved to approve First Amendment to Agreement between Malheur County Court and Malheur County District Attorney for Additional and Temporary Services within the Malheur County Juvenile Department Recorded with the Malheur County Clerk as Instrument Number 2022-2472. Commissioner Hodge seconded and the motion passed unanimously. The agreement is extended for 30 more days; through July 11, 2022. See instrument # 2022-2832

CHECK REGISTER

Commissioner Hodge moved to approve Accounts Payable Register for May 2022. Commissioner Jacobs seconded and the motion passed unanimously.

ACCEPTANCE OF RESIGNATION

Commissioner Hodge moved to accept the resignation of Environmental Health Director Craig Geddes, effective July 14, 2022. Commissioner Jacobs seconded and the motion passed unanimously. Ms. DuBois confirmed that the vacancy would be advertised as soon as possible; she also suggested that the Baker County contract for the foodborne illness program be terminated (6 months termination notice to Baker County is required). Mr. Geddes inquired if the staffing level in the Environmental Health department would be maintained at current levels if the Baker County contract was terminated. After discussion, Judge Joyce stated the Court would take the matter under advisement.

CONTRACT FOR SERVICES WITH GREGORY SMITH AND COMPANY

Commissioner Jacobs explained he thought that discussions needed to continue with Mr. Smith, the County had budgeted additional funds in the upcoming fiscal year for Snake River Economic Development Alliance, and that all options needed to be explored.

PUBLIC COMMENTS

Mike Walker gave public comments concerning the contract with Gregory Smith & Company. Some of Mr. Walker's comments were that the objectives in the contract are loose and difficult to see what has been accomplished and that there hasn't been a lot of business come into the county as a result of the contract. Additionally, he felt that under HB (House Bill) 2026 the Court should be giving preference to County residents for jobs; and that Greg Smith is a controversial figure and big companies don't like dealing with controversy. Mr. Walker also spoke about project management including was the project delivered on time, was the project delivered on budget, and was the project delivered as per the original scope.

LETTER OF SUPPORT - COMMUNITY IN ACTION GRANT APPLICATION

Kathy Markee from Community in Action presented a request for a letter of support. Commissioner Hodge noted he is on the Community in Action board. Commissioner Jacobs moved the Court sign a letter of support for Community in Action's (CinA) grant application for a USDA (United States Department of Agriculture) Section 533 Housing Preservation Grant. If received, the grant funds will provide additional rehabilitation efforts within the housing repair program. Commissioner Hodge seconded and the motion passed unanimously. See instrument # 2022-2829

JAIL INSPECTION AND COURT ADJOURNMENT

The Court conducted the annual jail inspection and Judge Joyce adjourned the meeting. See instrument # 2022-2845