

MALHEUR COUNTY COURT MINUTES

June 16, 2021

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 present and Commissioner Ron Jacobs present telephonically. Staff present was Administrative Officer Lorinda DuBois. Members of the media, public, and staff were present electronically. 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 # 2021-2990

PUBLIC HEARING - ADOPTION OF ASD BUDGET

The Court met as the governing body of the Ambulance Service District (ASD). Judge Joyce opened the public hearing for consideration of Resolution R21-16 adopting the Ambulance Service District budget; notice of the hearing was published in the Argus Observer. No public comments were received. Judge Joyce closed the hearing. Commissioner Hodge moved to approve Resolution R21-16: In the Matter of the Adoption of a Budget and Levy of Taxes for the Fiscal Year 2021/22 as Required by ORS 294.456. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # 2021-2991

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of June 9, 2021 as written. Commissioner Jacobs seconded and the motion passed unanimously.

CROSSING PERMITS

Commissioner Hodge moved to approve Crossing Permit #22-21 to Romans' Precision Irrigation to trench across Hillcrest Drive #872 for power to supply a pivot; and Crossing Permit #23-21 to Warrington Irrigation to replace an existing water pipe under Airport Road #888. Commissioner Jacobs seconded and the motion passed unanimously.

LEASE AMENDMENT - ERLEBACH

Commissioner Hodge moved to approve Sixth Amendment to Lease Agreement with Bruce and Teresa Erlebach, recorded as instrument # 2004-8970. First Amendment recorded as instrument #2012-0405. Second Amendment recorded as instrument # 2014-0678. Third Amendment recorded as instrument # 2015-0226. Fourth Amendment recorded as instrument # 2015-4213. Fifth Amendment recorded as instrument # 2018-0022. Commissioner Jacobs seconded and the motion passed unanimously. The amendment extends the lease agreement to June 30, 2023 and is for the Justice Court facility. See instrument # 2021-2995

PUBLIC HEARING - ADOPTION OF EXTENSION TAX DISTRICT BUDGET

The Court met as the governing body of the Malheur County Agricultural Educational Extension Service District. Judge Joyce opened the public hearing for consideration of Resolution R21-17

adopting the Extension tax district budget; notice of the hearing was published in the Argus Observer. No public comments were received. Judge Joyce closed the hearing. Commissioner Jacobs moved to approve Resolution R21-17: In the matter of the Adoption of a Budget and Levy of Taxes for the Fiscal Year 2021/22 as Required by ORS 294.456. Commissioner Hodge seconded and the motion passed unanimously. Total Appropriation is \$1,256,910 and the tax rate is \$0.23 per \$1,000 of assessed value. See instrument # 2021-2992

SUBAGREEMENT WITH MCOA&CS - ODOT AGREEMENT 34993

Commissioner Hodge moved to approve Sub-Agreement with Malheur Council on Aging and Community Services (MCOA&CS) for General Public Transit Service Pursuant to State Agreement Number 34993, 5311-Operating. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # *** for the Sub-Agreement; and instrument # *** for the ODOT Agreement.

ODOT AGREEMENT - OPERATING 5310 FUNDING

Commissioner Hodge moved to approve Public Transportation Division Oregon Department of Transportation Agreement No. 35184, Operating 5310. Commissioner Jacobs seconded and the motion passed unanimously. The Agreement provides funding to purchase service to provide public transportation to seniors and individuals with disabilities, and the general public. A copy will be returned for recording.

SUBAGREEMENT WITH MCOA&CS - ODOT AGREEMENT 35184

Commissioner Jacobs moved to approve Sub-Agreement with Malheur Council on Aging and Community Services (MCOA&CS) (to provide public transportation to seniors and individuals with disabilities, and the general public, in and around Malheur County, and to support the administrative costs required to manage the service contract) Pursuant to State Agreement Number 35184, Operating - 5310. Commissioner Hodge seconded and the motion passed unanimously. See instrument # *** for the Sub-Agreement; and instrument # *** for the ODOT Agreement.

AMENDMENT - IGA #166050

Commissioner Hodge moved to approve Third Amendment to Oregon Health Authority 2021 Intergovernmental Agreement for the Financing of Mental Health, Addiction Treatment, Recovery, & Prevention, and Problem Gambling Services Agreement #166050. Commissioner Jacobs seconded and the motion passed unanimously. The amendment adds funding for MHS 30 Monitoring, Security, and Supervision Services for individuals under the jurisdiction of the Adult and Juvenile Panels of the Psychiatric Security Review Board to cover additional housing expenses through December 31, 2021. A copy will be returned for recording.

ODOT AGREEMENT - STATE

Commissioner Hodge moved to approve Public Transportation Division Oregon Department of Transportation Agreement No. 34957, STATE. Commissioner Jacobs seconded and the motion passed unanimously. The Agreement provides financial support for special transportation services

benefiting seniors and individuals with disabilities. A sub-agreement to provide the services will be entered into with MCOA&CS. A copy will be returned for recording.

CHECK REGISTER

Commissioner Hodge moved to approve the Accounts Payable book for April and May 2021. Commissioner Jacobs seconded and the motion passed unanimously.

PUBLIC HEARING - ADOPTION OF COUNTY BUDGET

Judge Joyce opened the public hearing for consideration of Resolution R21-18 adopting the County budget; notice of the hearing was published in the Argus Observer. No public comments were received. Commissioner Hodge moved to approve Resolution R21-18: In the Matter of the Adoption of a Budget and Levy of Taxes for the Fiscal Year 2021/22 as Required by ORS 294.456. Commissioner Jacobs seconded and the motion passed unanimously. The total sum of the budget for the 2021/22 fiscal year is \$44,209,821; and the tax rate is \$2.5823 per \$1,000 of assessed value. See instrument # 2021-2994 for the document listing the changes before budget adoption; and instrument #2021-2993 for Resolution R21-18.

JUVENILE DEPARTMENT - RECLAIMING FUTURES AGREEMENT

Juvenile Department Director Susan Gregory and Evan Elkin from Reclaiming Futures met with the Court and presented a Reclaiming Futures' Measure 110 Pilot Program agreement for their consideration. Three counties are participating in the pilot program - Washington, Clackamas, and Malheur. Reclaiming Futures has designed a screening and brief intervention approach for youth focused on identifying and responding to signs of substance use and behavioral and mental health difficulty. This approach falls under the general framework known as SBIRT (Screening, Brief Intervention and Referral to Treatment). Commissioner Hodge moved to approve Reclaiming Futures & SBIRT-JJ Trademark and Access Agreement. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # 2021-3014

VACCINE INCENTIVE FUNDING

The Court again discussed using a portion of the County's vaccine incentive funding for additional lottery drawings through the Oregon Lottery. Commissioner Hodge moved to contribute \$25,000 and have 10 vaccinated Malheur County winners drawn (winning \$2500 each); and authorized Judge Joyce to sign the necessary IGA (Intergovernmental Agreement) with Lottery when it is prepared. Commissioner Jacobs seconded and the motion passed unanimously.

LEASE AND OPERATING AGREEMENT BETWEEN MCDC AND AMERICOLD

County Counsel Stephanie Williams explained that MCDC (Malheur County Development Corporation) was having a meeting tonight, 5:30 p.m., to approve the lease and operating agreement with Americold for the Treasure Valley Reload Center. The Court members were provided a draft copy of the agreement and can voice any concerns at MCDC's meeting tonight. It is a 20-year lease agreement; after 20 years Americold has the option to buy the warehouse facility and three acres for \$1.00; Americold will pay MCDC \$2500 per month with increases based on the CPI (Consumer Price Index) index; Americold will operate the facility; pay taxes on the

facility; maintain the rail spur, and gather necessary data so that MCDC can charge a user/shipper fee (the onion shippers have tentatively agreed to pay \$0.05 per bag shipped to MCDC; MCDC will pass this on to the County to assist with paying down the debt obligation). Once the partition plat is filed the County will sell 65 acres to MCDC and that money will be used to pay down the County's debt obligation. The Court acknowledged that they had reviewed the agreement and did not have any concerns to voice.

AMENDMENT - IGA 19-035

Commissioner Hodge moved to approve Amendment No. 1 to Intergovernmental Agreement No. 19-035 (recorded as instrument # 2019-3634) with Department of Energy. Commissioner Jacobs seconded and the motion passed unanimously. The termination date of the IGA is extended to June 30, 2023. See instrument #2021-3017

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.