

MALHEUR COUNTY COURT MINUTES
June 26, 2024

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 with Commissioner Ron Jacobs and Commissioner Jim Mendiola present. Members of the media, public and staff had the opportunity to join the meeting electronically or in-person. Staff present in the meeting room were Administrative Officer Lorinda DuBois and Economic and Community Development Director Taylor Rembowski. Also present were participants of the Ontario Area Chamber Networking & Leadership Program. 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 # 2024-1831

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 R24-11 adopting the Ambulance Service District budget; notice of the hearing was published in the Argus Observer. No changes were made to the Approved Budget. No public comments were received. Judge Joyce closed the hearing. Commissioner Jacobs moved to approve Resolution R24-11: In the Matter of the Adoption of a Budget and Levy of Taxes for the Fiscal Year 2024/25 as Required by ORS (Oregon Revised Statutes) 294.456. Commissioner Mendiola seconded and the motion passed unanimously. Total appropriation is: \$322,120. See instrument # 2024-1838

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 24-12 adopting the Extension tax district budget; notice of the hearing was published in the Argus Observer. No changes were made to the Approved Budget. No public comments were received. Judge Joyce closed the hearing. Commissioner Jacobs moved to approve Resolution R24-12: In the Matter of the Adoption of a Budget and Levy of Taxes for the Fiscal Year 2024/25 as Required by ORS 294.456. Commissioner Mendiola seconded and the motion passed unanimously. Total Appropriation is \$2,286,065 and the tax rate is \$0.23 per \$1,000 of assessed value. See instrument # 2024-1839

CROSSING PERMITS

Commissioner Mendiola moved to approve Crossing Permit #63-24 to Idaho Power Company to upgrade a pole and transformer on E. Lane #1129; and Crossing Permit #64-24 to Cascade Natural Gas to retire a service line on Community Road #932. Commissioner Jacobs seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

PUBLIC HEARING - ADOPTION

Judge Joyce opened the public hearing for consideration of Resolution R24-13 adopting the County budget; notice of the hearing was published in the Argus Observer. No public comments

were received. Several changes were made to the Approved Budget prior to adoption and Ms. DuBois provided those changes to the Court members in advance of the hearing. Judge Joyce closed the hearing. Judge Joyce moved to approve Resolution R24-13: In the Matter of the Adoption of a Budget and Levy of Taxes for the Fiscal Year 2024/25 as Required by ORS 294.456. Commissioner Mendiola seconded and the motion passed unanimously. The total sum of the budget for the 2024/25 fiscal year is \$65,050,050; and the tax rate is \$2.5823 per \$1,000 of assessed value. See instrument # 2024-1841 for the document listing the changes to the Approved budget prior to Adoption; and instrument # 2024-1840 for Resolution R24-13.

MCDC INVOICES

Commissioner Jacobs moved to authorize payment of MCDC (Malheur County Development Corporation) outstanding invoices in the amount of \$16,153.00 as MCDC's operating funds under the terms of the Funding Agreement are overspent. Commissioner Mendiola seconded and the motion passed unanimously.

COMMITTED FUND BALANCES

Commissioner Jacobs moved that the Malheur County Court hereby report the 2023/2024 ending fund balances of the following Special Revenue Funds as "Committed Fund Balances". These committed fund balance amounts can only be used for the specific purposes for which they were imposed unless the Malheur County Court removes or changes the specified use by taking the same type of action (legislation, resolution, or ordinance) it employed to previously commit those amounts. The Special Revenue Funds are: Major Bridge, Surveyor Corner Preservation, Community Corrections, Law Library, Boat License, Corrections Assessment, DA Enforcement, Taylor Grazing, Task Force, Ambulance Service District, Juvenile Crime Prevention, Federal Forfeitures Fund, Agricultural Educational Extension Service District, LATCF (Local Assistance and Tribal Consistency Fund), 911 Fund, Traffic Safety, Court Facilities Security, State Drug Court, State Mediation, CVSO (County Veterans Services Officer) Expansion, Search & Rescue, GIS (Geographical Information Systems) Maintenance, Clerk's Record Fund, Special Transportation Fund, Work Release Construction, Economic Development, American Rescue Plan, and Opioid Settlement. Commissioner Mendiola seconded and the motion passed unanimously. This motion is effective as of June 30, 2024.

Ms. DuBois left the meeting.

COMMUTE OPTIONS

Kim Curley, Community Engagement Coordinator for Commute Options met with the Court; Commute Options is a nonprofit based in Bend serving 18 Oregon counties. Commute Options program helps connect residents with transportation options such as biking and walking for short trips; and transit, carpool, and vanpool for longer trips. Commute Options has a free ride matching program called Get There Oregon; it is a free program for anybody over the age of 18 who lives or works in the state; participants log trips to earn rewards and there is a Rideboard feature. In Central Oregon (Crook, Jefferson, and Deschutes counties) there are about 50 vanpools fully funded by STIF (Statewide Transportation Improvement Fund). (Vanpools are five people or more

traveling 20 miles or more to and from work.) MCOA (Malheur Council on Aging) has submitted a STIF project for vanpools for our region and Ms. Curley is assisting Ms. White at MCOA with getting the word out to employers in Malheur county about potential vanpools for employees. Ms. Curley answered questions from those present. Mr. Breidenbach with the Ontario Chamber of Commerce offered assistance to Ms. Curley in reaching employers in the area.

ROAD ACCEPTANCE

Surveyor Derrick McKrola met with the Court and presented a road acceptance on a partition plat for the Court's consideration. Commissioner Jacobs moved to accept road dedication of a portion of Morgan Avenue, on Brian McKinney's Partition Plat #24-12. Commissioner Mendiola seconded and the motion passed unanimously. See instrument #2024-1848

LEADERSHIP GROUP

The Court members briefly gave an overview of their positions and answered questions from the Ontario Area Chamber Networking & Leadership Program participant.

MCDC

Malheur County Development Corporation (MCDC) Board Chair Grant Kitamura met with the Court. Also present were Board members Ralph Poole and Mike Walker (Mr. Walker was present electronically). Mr. Kitamura discussed a proposal from Axiom to assist with connecting MCDC's rail spur to UPRR's (Union Pacific Railroad) main line. UPRR will be working on the Treasure Valley Grain project in Nyssa in August and may be able to complete the MCDC project's tie-ins as well. Axiom's proposal includes the following eight points:

1. Conduct a site walk with Railworks to document in detail the scope of work to be completed.
2. Confirm what materials that were missing in the past.
3. Manage the procurement and placement of the missing materials on site.
4. Coordinate with Railpros to ensure the materials and work is in alignment with the design and approved submittals.
5. Scheduling the:
 1. Work to be surveyed (maybe)
 2. Earthwork crew
 3. Rail flagger
 4. Earthwork compaction tests
6. Scheduling the UPRR representative to complete the site inspection.
7. Addressing any loose ends that would impact the UPRR work.
8. Issuing regular updates and reports on issues, actions, and progress.

Axiom's cost for the proposal is a maximum of \$8,300. Mr. Kitamura answered questions from the Court members. Commissioner Jacobs moved to authorize funding for the Axiom proposal in an amount not to exceed \$8,300; the funding is in addition to the operating funds (\$50,000) under the

terms of the Funding Agreement. Commissioner Mendiola seconded and the motion passed unanimously.

Mr. Poole commented that he believes the reload center project is a great long-term investment for the State and the County.

COURT MINUTES

Commissioner Mendiola moved to approve Court Minutes of June 12, 2024 as written. Commissioner Jacobs seconded and the motion passed unanimously.

CONTRACT AMENDMENT - STEVE'S BACKHOE SERVICE

Commissioner Mendiola moved to approve Fifth Amendment to Personal Service Contract to Operate and Maintain Lytle Boulevard Landfill between Malheur County and Steve's Backhoe Services, Inc. Recorded with Malheur County Court Clerk as Instrument Numbers 2007-7609, 2009-3546, 2010-6428, 2014-0679, and 2019-2119. Commissioner Jacobs seconded and the motion passed unanimously. The consideration is increased 5% and the contract is extended to June 30, 2029. See instrument # 2024-1853

NOTICE TO PROCEED

Commissioner Jacobs moved to sign the Notice to Proceed to Holcomb Construction Inc and Construction Management for the Goodfellow Building Remodel project. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2024-1832

UPDATED COUNTY POLICIES

County polices for Paid Leave Oregon, Bereavement Leave, and Family Medical Leave were updated due to legislative changes that take effect July 1, 2024. Commissioner Jacobs moved to approve updated County Policy 325 - Paid Leave Oregon. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2024-1835

Commissioner Jacobs moved to approve updated County Policy 307 - Bereavement Leave. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2024-1834

Commissioner Jacobs moved to approve updated County Policy 304 - Family Medical Leave. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2024-1833

HEALTH DEPARTMENT DIRECTOR VACANCY

The Court was given applications for the Health Department Director vacancy. The Court will score the written applications and interviews will be scheduled in July.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.

** Sheriff's Return of Sale for April 23, 2024 County Land Sale is recorded as Instrument #2024-1822

** Affidavit of Publication (Of Sheriff's Notice of Sale) Instrument #2024-1823

*****Agreement for Access and Purchase of Real Estate Records**

Malheur County Clerk, Gayle Trotter, signed an agreement for the purchase of and access to real estate records by TitleOne. See instrument #2024-1800.