

## **MALHEUR COUNTY COURT MINUTES**

**June 30, 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; Commissioner Ron Jacobs was absent. Staff present was Administrative Officer Lorinda DuBois. Members of the media, public and staff were present electronically. Notice of the meeting was emailed to the Argus Observer, Malheur Enterprise, and those persons who have requested notice and posted on the Courthouse bulletin board. The meeting was audio recorded. The agenda is recorded as instrument # 2021-3251

### **PUBLIC HEARING - SUPPLEMENTAL BUDGET**

Judge Joyce opened the public hearing for consideration of supplemental budget Resolution R21-24. Notice of the hearing was published in the Argus Observer. A public hearing was required as the supplemental budget will adjust the current budget fund by 10% or more of the expenditures of that fund. No public comments were received. The hearing was closed. Commissioner Hodge moved to approve Resolution R21-24: In the Matter of Fiscal Year 2020/2021 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Judge Joyce seconded and the motion passed. The purpose of the supplemental budget is to allocate Fiscal Recovery funds from the American Rescue Plan Act (ARPA) that were not anticipated when the adopted budget was prepared - these are federal funds to assist with COVID recovery; and to allocate additional Cash on Hand funds that were not anticipated when the adopted budget was prepared - these are funds that are transferred to General Fund MCSO (Malheur County Sherriff's Office) Communication Center. See instrument # 2021-3255

### **COURT MINUTES**

Commissioner Hodge moved to approve Court Minutes of June 23, 2021 as written. Judge Joyce seconded and the motion passed.

### **COMMITTED FUND BALANCES**

Judge Joyce moved that the Malheur County Court hereby report the 2020/2021 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 (District Attorney) Enforcement, Taylor Grazing, Task Force, Ambulance Service District, Juvenile Crime Prevention, Economic Development, Agricultural Educational Extension Service District, 911 Fund, Traffic Safety, Court Facilities Security, State Drug Court, State Mediation, CVSO (County

Veterans Service Officer) Expansion, Search & Rescue, GIS (Geographical Information System) Maintenance, Clerk's Record Fund, Special Transportation Fund, Work Release Construction, Federal Forfeitures Fund, and American Rescue Plan.

Commissioner Hodge seconded and the motion passed. This motion is effective as of June 30, 2021.

#### **EMPLOYMENT CONTRACT - ESTRADA**

Commissioner Hodge moved to approve Employment Agreement with Jamie Estrada for Peer Recovery Health Specialist - Malheur County Health Department (grant funded). Judge Joyce seconded and the motion passed. See instrument # 2021-3254

#### **BURN BAN**

Commissioner Hodge moved to approve Order No. GO-05-21: Order Prohibiting Outdoor Open Burning in Unincorporated Areas of Malheur County Located Outside a Fire District. Judge Joyce seconded and the motion passed. The ban begins July 1, 2021. See instrument # 2021-3253

#### **ENTERPRISE ZONE**

Judge Joyce moved to approve Resolution No. R21-25, In the Matter of: A Resolution to Sponsor the Malheur County Enterprise Zone. Commissioner Hodge seconded and the motion passed. The Cities of Ontario, Nyssa, and Vale and the County are co-sponsoring the application for re-designation of the existing enterprise zone. The proposed enterprise zone has a total area of 10,237.9 square miles. The zone sponsors are requesting that the distance maximum of 25 miles overall and of 15 miles between separate areas in the zone be waived and that under ORS 285C.070 qualified property operated by a qualified business firm as a hotel, motel, or destination resort may receive a property tax exemption in the Zone. See instrument # 2021-3252

#### **AMENDMENT - IGA #166050**

Commissioner Hodge moved to approve Fifth Amendment to Oregon Health Authority 2021 Intergovernmental Agreement for the Financing of Mental Health, Addiction Treatment, Recovery, & Prevention, and Problem Gambling Services Agreement #166050. Judge Joyce seconded and the motion passed. The amendment adds funds to Aid and Assist Client Services (MHS 04). See instrument # 2021-3256

#### **FUND EXCHANGE AGREEMENT - ROAD DEPARTMENT**

Commissioner Hodge moved to approve Master Grant Agreement No. 35249, Oregon Department of Transportation, Fund Exchange Program (FEX). Judge Joyce seconded and the motion passed. Pursuant to the Federal-Aid Project Guidelines and Working Agreement among ODOT (Oregon Department of Transportation), the Association of Oregon Counties and the League of Oregon Cities, ODOT will annually make state funds available for which the County may exchange its annual allocation of federal Surface Transportation Block Grant funds. A copy of the agreement will be returned for recording.

### **LEASE EXTENSION - CITY OF VALE**

Judge Joyce moved to approve Third Amendment to Lease Agreement Between City of Vale and Malheur County for Use of Vale City Hall, which was Recorded with the Malheur County Clerk as Instrument Number 2020-4199; and First Amendment Recorded as Instrument Number 2020-4956; and Second Amendment Recorded as Instrument Number 2021-0746. Commissioner Hodge seconded and the motion passed. The term of the lease is extended to September 31, 2021. See instrument# \*\*\*

### **PERSONAL SERVICES CONTRACT; AND ADDENDUM - SMITH**

Gregory Smith & Company LLC has been providing Malheur County Economic Development Consultant services since 2013; and additional services specific for the Malheur County Development Corporation (MCDC) and Treasure Valley Reload Center (TVRC) project since 2017.

The Court accepted public comments from Mike Walker. Economic Development Consultant Greg Smith gave comments. Mr. Smith also explained that Senator Findley and Representative Owens were successful in securing \$3 million to expand water capacity (not sewer) from the city of Nyssa to the industrial park property.

Commissioner Hodge moved to approve Contract for Personal Services: Malheur County Economic Development Consultant with Gregory Smith & Company, LLC; and Third Addendum to Contract for Personal Services: Malheur County Economic Development Consultant/Coordinator - Additional Personal Services for Malheur County Development Corporation and Treasure Valley Reload Facility Project. Judge Joyce seconded and the motion passed. It was noted that Commissioner Jacobs had been briefed on the contracts and would sign both upon his return. See instrument # 2021-3553 and # 2021-3554

Judge Joyce asked Mr. Smith about the recent legislative session. Mr. Smith said the session was challenging, not having the public and the media involved in the way they have been in the past; and that the state's economy is booming - the state's general fund is extraordinary. Funding was appropriated for county fairs for one-time investments in either capital or operational needs; and there is going to be a significant investment in behavioral health resources.

### **COURT ADJOURNMENT**

Judge Joyce adjourned the meeting.