

MALHEUR COUNTY COURT MINUTES
August 9, 2017

County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois.

Also present was John Braese of the Malheur Enterprise and Eastern Oregon Regional Solutions Coordinator Courtney Warner Crowell.

LEGISLATIVE UPDATE

Representative Cliff Bentz met with the Court and gave a PowerPoint presentation reviewing the 2017 Legislative Session. There was a claim that the state budget will have a \$1.8 billion shortfall, even though there is an expected \$1.3 billion more in anticipated revenue in the next biennium. Issues contributing to increased costs include Medicaid, PERS, rising state employee costs, and passage of unfunded ballot measures. The Majority Party pushed to raise taxes; the Minority Party said we will talk about revenue reform after there is discussion about cost containment and investing in the economy. Republicans were able to stop tax increases by just one vote in both the House and Senate; there was extreme pressure from the Democrats to recruit one Republican to vote with them for the gross receipts tax. Many tax bills were introduced; only two bills that included tax increases were passed - Hospital Provider Tax, which will keep 350,000 low-income Oregonians on Medicaid; and the Transportation Package. Attempts were made to eliminate several tax credit opportunities; the Rural Medical Provider Tax Credit was extended to 2022; and the Fish Screening Tax Credit was extended to 2024.

Representative Bentz drafted 83 bills (of these 83 bills, at minimum two-thirds were requested by constituents); 40 were introduced; 17 were scheduled for a hearing; and 4 were signed into law.

A number of bills relating to water issues were stopped; additional funds were allocated to ODFW (Oregon Department of Fish and Wildlife) for Sage Grouse Conservation activities; and a mining bill that will help open mining opportunities in the state passed. The self-serve gasoline legislation was expanded and now allows for 24-hour self-serve in low-population counties (if there is a convenience store at the fueling station then staff are required to pump the gas, if requested, from 6 a.m. to 6 p.m.). There are many rural areas that have limited fueling stations and access to gas is vital.

County Counsel Stephanie Williams joined the meeting.

Several changes to the Low Carbon Fuel Standard (LCFS) were included in HB 2017 (Transportation Package). Malheur county is ranked 32nd for road conditions in the state; 50 miles of road should be chip-sealed each year and currently only 21 miles is done. ODOT (Oregon Department of Transportation) is also behind on road maintenance and bridge projects. The gas tax will increase 10-cents over 7 years; title fees will increase \$24 over 5 years; and registration fees will increase \$20 over 5 years. An employee payroll tax of one-tenth of 0.01% was also implemented in HB 2017, as well as an adult bicycle tax, light vehicle dealer privilege tax, and electric/high mileage vehicle fee. The Small Cities and Counties funding will increase.

The development of an intermodal facility (reload facility) in Malheur County is funded through HB 2017 and ConnectOregon. Funds generated through the employee payroll tax will be used for transit purposes; Representative Bentz expressed that he believes Malheur County has a need for bus service from Ontario, Nyssa, and Vale areas to the Caldwell, Nampa, Boise area in order to bring in a needed workforce to our area. Funding for freight mobility enhancements is for the highway from Ontario to Bend; the Court will need to weigh in with ODOT for the use of these funds. There is a chance that there could be a referendum put on the ballot in 2018 for HB 2017; but there seems to be broad support for this Transportation Package.

Other bills of interest that were passed in the session include: HB 2012 - Eastern Oregon Border Economic Development Region (a direct result of Speaker Tina Kotek's visit to Malheur county); HB 2005 - Equal Pay Act; SB 314 relating to Relief Nurseries; HB 2746 is the bottle bill increase; and SB 208 relates to charter school athletics.

Likely issues to be addressed in 2018 include: low carbon fuel standards, gross tax receipts, PERS, cap and trade, child care, sage grouse, and clean air.

Representative Bentz answered questions and was thanked for his work.

Mr. Braese left the meeting.

COMMUNITY CORRECTIONS

Community Corrections Lieutenant Debbie Hust met with the Court. Ms. Hust requested a support letter from the Court for the 2017-2019 Reinvestment Grant; grant funds are used to help fund a probation officer (PO) position; a portion of the Jail Program Coordinator position; diversion programs through the Jail and Lifeways, and to help with housing for persons being released from prison.

Lieutenant Hust also presented the IGA (Intergovernmental Agreement) with Department of Corrections for the grant-in-aid funding for 2017-2019.

Commissioner Hodge moved to sign a letter of support for the Reinvestment Grant; and moved to approve Intergovernmental Agreement #5469 between the State of Oregon and Malheur County for the grant-in-aid funding. Commissioner Wilson seconded and the motion passed unanimously. See instrument [#2017-3131](#) for the letter of support. The IGA will be returned for recording.

REGIONAL SOLUTIONS COORDINATOR

Courtney Warner Crowell introduced herself to the Court. Ms. Crowell is the Eastern Oregon Regional Solutions Coordinator through the Governor's Office.

COURT MINUTES

Commissioner Wilson moved to approve Court Minutes of August 2, 2017 as written. Commissioner Hodge seconded and the motion passed unanimously.

BUDGET TRANSFER RESOLUTION

Commissioner Wilson moved to approve Resolution No. R17-34: In the Matter of Fund Transfers Under Local Budget Law ORS 294.463. Commissioner Hodge seconded and the motion passed unanimously. Funds are transferred in the Economic Development fund between Contracted Services and Technical Assistance. See instrument #[2017-3133](#)

IGA #148021 - AMENDMENT

Commissioner Wilson moved to approve Thirteenth Amendment to Oregon Health Authority 2015-2017 Intergovernmental Agreement (IGA) for the Financing of Public Health Services. Commissioner Hodge seconded and the motion passed unanimously. The amendment decreases Tobacco Prevention & Education funding in the amount of \$25,500. A copy will be returned for recording. See Instrument #2017-3475.

CONTRACT TO SELL - PROVIDENT INVESTMENTS

Commissioner Wilson moved to approve Contract to Sell/Installment Agreement Pursuant to ORS 275.190 with Provident Investments LLC for Ref. #3778 purchased at the Land Sale. Commissioner Hodge seconded and the motion passed unanimously. See instrument #[2017-3132](#)

CASCADE NATURAL GAS - EASEMENT

Commissioner Wilson moved to approve Right of Way Easement to Cascade Natural Gas Corporation. Commissioner Hodge seconded and the motion passed unanimously. The document will be returned for recording by Cascade Natural Gas. See instrument #[2017-3185](#)

EMPLOYMENT CONTRACT - HILL

Ms. DuBois inquired if the Court was agreeable to entering into a PERS retiree employment contract with Cliff Hill for deputy services in Jordan Valley due to the recent resignation of a Jordan Valley resident deputy. The Court had no objections; Ms. Williams will draft a contract.

BOARD OF DIRECTORS FOR 501(c)(4) NON-PROFIT ECONOMIC DEVELOPMENT CORPORATION

The Court discussed persons to appoint as board members to the 501(c)(4) non-profit economic development corporation to be formed in connection with HB 2017 and the Malheur County reload facility project. Ms. Williams compiled a confidential list of suggested individuals; Economic Development Director Greg Smith has suggested the board consist of 7 members to include: one public sector representative, a minimum of two financial representatives, and agricultural representation.

Commissioner Wilson proposed: Greg Smith, Lynn Findley, John Qualls, Toni Parish, Grant Kitamura, Jim Farmer and Kay Riley.

Judge Joyce proposed: Greg Smith, Bob Kemble, Corey Maag, Toni Parish, John Qualls, Lynn Findley, Grant Kitamura, and Jim Farmer. Judge Joyce stated he did not propose anyone who lived in Idaho.

Commissioner Hodge proposed: Greg Smith, Toni Parish, Jim Farmer, Grant Kitamura, Corey Maag, and Lynn Findley; he did not have a seventh person selected but said he could support Dirk DeBoer.

Commissioner Wilson explained that the persons he received the most encouragement to appoint were Kay Riley, Grant Kitamura and Jim Farmer as these individuals represent the largest packer/shipper companies and have the most experience; additionally, they all use rail. Commissioner Wilson indicated he had no reservations about Kay Riley living in Idaho as he is an owner of Snake River Produce which is an Oregon company. Commissioner Wilson and Commissioner Hodge both thought that Corey Maag's strengths were in growing and cattle.

Commissioner Wilson moved to appoint the following to the 501(c)(4) non-profit economic development board: Greg Smith (Project Manager); Lynn Findley (Vale City Manager); John Qualls and Toni Parish (financial representatives); Grant Kitamura, Jim Farmer, and Kay Riley (shipper/packer/grower representatives); and Corey Maag as a shipper/packer/grower alternate; subject to their acceptance. Commissioner Hodge seconded and the motion passed unanimously.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.