

MALHEUR COUNTY COURT MINUTES
August 23, 2023

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 Ron Jacobs and Commissioner Jim Mendiola present. Staff present was Administrative Officer Lorinda DuBois, Building Official Adele Schaffeld, and Planner/Interim Environmental Health Director Eric Evans. Members of the media, public and staff had the opportunity to join the meeting electronically or in-person. 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 # 2023-2435

BLM - LITHIUM EXPLORATION PROJECTS

BLM (Bureau of Land Management) Malheur Field Manager Jonah Blustain met with the Court and briefed them on two lithium exploration projects in the McDermitt area. The HiTech McDermitt Exploration Project is mostly for lithium. The project area is 7200 acres and they are proposing 100 acres of disturbance (roads, drill pads etc.). BLM has done its environmental baselines and reviewed HiTech's plan of operations and found it to be administratively complete (this is not BLM approval). Public scoping is currently taking place until September 15, 2023. Two community briefings were held before the public scoping period opened. Additional community briefings will be held. BLM has inquired with HiTech if they have the ability to develop a gravel pit within their plan of operation for road maintenance and repair.

A proposal from Oregon Energy LLC (Limited Liability Company) for the Aurora Uranium-Lithium Exploration Project was recently received. The project area is about 5800 acres of public land and 411 acres of private land (the private land is located in Nevada). BLM is coordinating with Humboldt County Commission, and the Nevada partners. A maximum of 100 acres of surface disturbance is proposed. A meeting with state and local governments from both Oregon and Nevada will be held and Oregon Energy will present the project and answer questions that the cooperating agencies may have. Community briefings will be held for this project also.

Based on the complexity of these exploration projects and the controversy that was seen in the Thacker Pass project (previous project in Nevada), BLM is taking a pre-planning approach as opposed to the traditional NEPA (National Environmental Policy Act) process. The cooperating agencies will be involved in the project from the beginning.

LYTLE BOULEVARD LANDFILL POWER LINE PROJECT

Mr. Evans inquired of Mr. Blustain the status of the categorical exclusion for the County's Lytle Blvd Landfill power line project. BLM staff is currently working on a state-level Idaho Power priority project and all other Idaho Power realty projects have been put on hold.

CROSSING PERMIT

Commissioner Mendiola moved to approve Crossing Permit #31-23 to Windwave Communications for work on Lockett Road #730. Commissioner Jacobs seconded and the motion passed unanimously. The original permit will be kept on file at the Road Department.

COURT MINUTES

Commissioner Jacobs moved to approve Court Minutes of August 16, 2023 as written. Commissioner Mendiola seconded and the motion passed unanimously.

FAIR BOARD

The Court received a request from Maddie Hewitt to be appointed to the vacant Fair Board position (voting); the Court requested the matter be put on the next meeting agenda.

EMPLOYMENT AGREEMENT - SPEELMAN

Commissioner Jacobs moved to approve Background Investigator/Malheur County Sheriff's Office - employment of PERS (Public Employees Retirement System) retiree Employment Agreement with Robert "Bob" Speelman. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2023-2438

SUPPLEMENTAL BUDGET

Commissioner Mendiola moved to approve Supplemental Budget Resolution R23-24: In the Matter of Fiscal Year 2023/2024 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Jacobs seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate additional General Fund Cash on Hand that was not anticipated when the budget was adopted - the funds will be used to pay off the Bank of Eastern Oregon line of credit; to allocate additional General Fund Transfer funds in the Reload/Industrial Park Project fund that were not anticipated when the budget was adopted - the funds are to be used for paying off the Bank of Eastern Oregon line of credit; and to allocate additional Cash on Hand in the Building Program that were not anticipated when the budget was adopted - the funds will be used to purchase an additional vehicle to be used to do inspections. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # 2023-2436

CHECK REGISTER

Commissioner Mendiola moved to approve June and July 2023 Accounts Payable Registers. Commissioner Jacobs seconded and the motion passed unanimously.

RESOLUTION - FINANCIAL ASSISTANCE ADMINISTRATOR

Commissioner Jacobs moved to approve Resolution R23-25: In the matter of: Resolution Appointing County Financial Assistance Administrator/CDDP Administrator for the 2023-2025 Intergovernmental Grant Agreement for the Financing of Community Developmental Disabilities Program (CDDP) Services (Agreement 180108). Commissioner Mendiola seconded and the motion passed unanimously. Ms. DuBois is designated as the County Financial Assistance Administrator/CDDP Administrator. See instrument # 2023-2433

IGA 180022 - AMENDMENT

Commissioner Jacobs moved to approve First Amendment to Oregon Health Authority 2023-2025 Intergovernmental Agreement for the Financing of Public Health Services, Agreement #180022. Commissioner Mendiola seconded and the motion passed unanimously. Funding is adjusted for the Tobacco Prevention and Education Program (TPEP). A copy will be returned for recording. See instrument #2023-2500

TREASURE VALLEY PARAMEDICS (TVP)

Meeting with the Court from Treasure Valley Paramedics were: Steve Patterson, Heather Land, and Attorney Shawn Logan. Also present was County Counsel Stephanie Williams and ASD (Ambulance Service District) Coordinator Jeff Rodgers. Mr. Logan explained that TVP (Treasure Valley paramedics) entered into a contract with the County in 2022. Since then five employees left employment with TVP; those employees have been replaced but the requirement that paramedics remain on call has become a big issue. When the paramedics are on call they must remain in the Malheur county area and are paid \$3.00 an hour while on call. A number of the employees are not local - they come from the Boise/Caldwell area. This requirement makes it difficult to hire new employees and to retain employees. TVP has proposed an amendment to the contract. There will still be two ALS (Advanced Life Support) ambulances on duty. The third ambulance (Medic 3) may come from the Nyssa ASA (Ambulance Service Area); if both ALS ambulances from Ontario were called out then the Nyssa BLS (Basic Life Support) ambulance would stage halfway between Nyssa and Ontario. If for some reason an additional ambulance was needed then the mutual aid contracts would be utilized (Parma, Weiser and Payette). Additionally, a chase car will be available to respond when ALS is needed.

The proposal has been reviewed by the ASD Advisory Board and have agreed to the proposal temporarily; the agreement is to be reevaluated in one year or earlier upon request of the parties; and the Advisory Board has requested that TVP meet quarterly with the County Court. Additionally, the chase car needs to meet the requirements of Oregon and Idaho law. TVP has communicated with Oregon Health Authority about this proposal and Oregon Health Authority has agreed that this could be an alternative for Medic 3. Mr. Rodgers is in support of the proposal.

Commissioner Jacobs moved to approve First Amendment to Personal Services Contract for Emergency Medical and Ambulance Services Ontario ASA Malheur County Oregon recorded with the Malheur County Clerk on June 29, 2022 as instrument number 2022-3114. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2023-2437

ASD BYLAWS/ JV AMBULANCE

ASD Coordinator Jeff Rodgers explained that the bylaws were recently updated. The membership and quorum requirements were changed. The ASD Advisory Board has approved the revisions. Consensus of the Court was to accept the updated bylaws. See instrument # 2023-2453

Jordan Valley Ambulance purchased an ambulance several years ago with financial assistance (\$10,000) from the Ambulance Service District (ASD) and the County's name is on the title. Jordan Valley Ambulance wishes to sell the ambulance as they have purchased a new ambulance. Mr. Rodgers estimates the value of the ambulance at possibly \$7,000. Consensus was to divide the sale of the ambulance proportionately to the purchase price. (i.e. if JV (Jordan Valley) Ambulance paid 90% and ASD paid 10% then the sale proceeds will be divided 90/10).

FARMLAND LEASE - FARMERS

Ms. Williams discussed the farmland lease and right of first refusal of water rights with Charles, James and Margaret Farmer with the Court. The agreement was entered into in 2020. Farmer's farm a portion of the County's property in the Arcadia Industrial Park. If the County wishes to terminate the lease, notice needs to be provided to the Farmer's before harvest (untimely notice triggers penalties in the agreement). The Court took the matter under advisement.

COURT ADJOURNMENT

The meeting was adjourned.