

MALHEUR COUNTY COURT MINUTES
August 10, 2022

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 and Commissioner Ron Jacobs present. Members of the media, public, and staff had the opportunity to join the meeting electronically or in-person. Administrative Officer Lorinda DuBois was present. 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 # 2022-3547

SECOND PUBLIC HEARING - PSILOCYBIN

Judge Joyce opened the second public hearing for consideration of Ordinance 228: An Ordinance Prohibiting the Establishment of Psilocybin Product Manufacturers and Psilocybin Service Centers within the Unincorporated Area of Malheur County; A Referral to Electors. Notice of the hearing was published in the Argus Observer and posted on the County website. Judge Joyce asked for proponent and opponent testimony; there was none. No written comments were received. Judge Joyce closed the hearing. Commissioner Jacobs moved to approve Ordinance 228: An Ordinance Prohibiting the Establishment of Psilocybin Product Manufacturers and Psilocybin Service Centers within the Unincorporated Area of Malheur County; A Referral to Electors. Commissioner Hodge seconded and the motion passed unanimously. See instrument # 2022-3549

Commissioner Hodge moved to approve Resolution and Order No. R22-22: In the Matter of Referring to the Voters of Malheur County a Measure Prohibiting Psilocybin Product Manufacturers and Service Centers and Adopting a Ballot Title and Explanatory Statement. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # 2022-3550

MOA - ADA COUNTY

Commissioner Hodge moved to approve Memorandum of Agreement (MOA) between County of Malheur, State of Oregon and County of Ada, State of Idaho FY 2023. Commissioner Jacobs seconded and the motion passed unanimously. The agreement is for juvenile offenders under the jurisdiction of Malheur County to be temporarily housed at the Ada County Detention Center. A copy will be returned for recording.

INTERIM ENVIRONMENTAL HEALTH DIRECTOR - EVANS

Commissioner Hodge moved to approve First Amendment to Agreement between Malheur County Court and Malheur County Planning Director Eric Evans for Additional and Temporary Duties of Interim Environmental Health Director - recorded with Malheur County Clerk as instrument number 2022-3324. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # 2022-3548

CONTRACT WITH NEY

Mr. Evans requested authorization from the Court to contract with Melissa Ney to perform licensed food, pool and lodging inspections in Baker and Malheur counties. After discussion, the Court agreed to the request with a cap of 170 inspections through December 31, 2022.

COURT MINUTES

Commissioner Jacobs moved to approve Court Minutes of August 3, 2022 as written. Commissioner Hodge seconded and the motion passed unanimously.

PIONEER HEALTH DISTRICT

Pioneer Health District board members Dennis Buttice and John Nalivka, and Business Office Manager Katie Braniff met with the Court to follow-up on the request for the County to provide ARPA (American Rescue Plan Act) funding to the Health District. Ms. Braniff has met with Ms. DuBois and reviewed payroll documentation that is reimbursable under ARPA. Commissioner Hodge moved to authorize reimbursement for payroll expenses in the amount of \$150,000 to Pioneer Place from the County's ARPA funding. Commissioner Jacobs seconded and the motion passed unanimously.

SECOND PUBLIC HEARING - MARIJUANA RETAIL TAX

Judge Joyce opened the second public hearing for consideration of Ordinance No. 229: An Ordinance Relating to a Tax Imposed on the Sale of Marijuana Items that are Sold in the Unincorporated Area of Malheur County by a Marijuana Retailer Who Holds a License Issued Under ORS (Oregon Revised Statute) 475C.097 - if Ordinance 210 is Repealed; and Referring this Ordinance to the Voters for Approval. Notice of the hearing was published in the Argus Observer and posted on the County website. The purpose of the ordinance is to establish a 3% tax on the retail sale of marijuana items in the event Ordinance No. 210 (prohibits activities related to marijuana) is repealed. Judge Joyce asked for proponent and opponent testimony; there was none. No written comments were received. Judge Joyce closed the hearing. Commissioner Jacobs moved to approve Ordinance No. 229: An Ordinance Relating to a Tax Imposed on the Sale of Marijuana Items that are Sold in the Unincorporated Area of Malheur County by a Marijuana Retailer Who Holds a License Issued Under ORS 475C.097 - if Ordinance 210 is Repealed; and Referring this Ordinance to the Voters for Approval. Commissioner Hodge seconded and the motion passed unanimously. See instrument # 2022-3551

Commissioner Jacobs moved to approve Resolution No. R22-23: In the Matter of Referring to the Electors the Question of Imposing a Three Percent (3%) Tax on the Retail Sale of Marijuana Items within Unincorporated Malheur County. Commissioner Hodge seconded and the motion passed unanimously. See instrument # 2022-3552

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.