

MALHEUR COUNTY COURT MINUTES

October 26, 2016

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

REF. # 9828/903407

Treasurer Jennifer Forsyth met with the Court regarding County property Ref. #9828 and Ref. # 903407. Ms. Forsyth explained that the properties are part of the 2014 Foreclosure. The property was owned by Steven and Ida Vielma, and Mr. Vielma is requesting to buy back the property; back taxes owing total approximately \$7200. Commissioner Hodge moved to approve the buyback request as presented. Commissioner Wilson seconded and the motion passed unanimously. A deed will be prepared for the Court's signature after the monies are received by the Tax Office.

COURT MINUTES

Commissioner Wilson moved to approve Court Minutes of October 19, 2016 as written. Commissioner Hodge seconded and the motion passed unanimously.

NACO DUES

Commissioner Hodge moved to approve payment of the 2017 NACo (National Association of Counties) Membership Dues in the amount of \$626. Commissioner Wilson seconded and the motion passed unanimously.

CROSSING PERMITS

Commissioner Wilson moved to approve Crossing Permit #29-16 to Oregon-Idaho Utilities Inc. for fiber optic cable on Arock Road #729; and moved to approve Crossing Permit #30-16 to Thunderegg Solar Center, LLC for installation of 7 power poles and related electrical equipment and fencing for the project located on Gem Avenue #956. Commissioner Hodge seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

PUBLIC HEARING - SUPPLEMENTAL BUDGET

Judge Joyce opened the public hearing for consideration of Supplemental Budget Resolution R16-30. Notice of the hearing was published in the Argus Observer. Ms. DuBois explained the purpose of the supplemental budget is to allocate the spending of additional State Mental Health funds which were received but not anticipated when the adopted budget was prepared. These are State pass-through funds for services provided by Lifeways and increase the Mental Health Fund appropriations by \$480,743. No public comments were received. Judge Joyce closed the public hearing. Commissioner Hodge moved to approve Resolution R16-30: In the Matter of Fiscal Year 2016/2017 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Wilson seconded and the motion passed unanimously. See instrument # [2016-3969](#)

TRIENNIAL REVIEW - HEALTH DEPARTMENT

Health Department Director Angela Gerrard met with the Court and reviewed the findings from the triennial onsite agency review conducted by the Oregon Health Authority June 8-July 1, 2016. The county public health programs were reviewed for compliance with state and federal public health laws and compliance with the State Financial Assistance Agreement. Sixteen programs were reviewed and compliance findings were found in three programs; additionally Civil Rights was found to be in compliance but needed to have documentation that the Civil Rights Self-Assessment was reviewed by the Local Public Health Authority (LPHA) and that has been completed. (The WIC (Women, Infant and Children) program is reviewed biennial so it is not included in this Review.) The State will meet with the Court next week to do an Exit Interview of the Health Department's Triennial Review.

Ms. Gerrard reviewed the three compliance items noted in the Triennial Review:

Fiscal: Ensure steps in key purchasing process are divided among two or more persons. The person who requisitions purchases should differ from the person who procures and receives purchases. The internal procurement policy was updated and documents showing that the key purchasing process is performed by more than one individual were submitted to the State.

Food, Pool and Lodging: A minimum of one Environmental Health Specialist must complete a NSPF (National Swimming Pool Foundation)-certified pool operator course. Environmental Health staff will ensure that a course is completed.

Tobacco Prevention and Education Program (TPEP): The LPHA must assure that TPEP is staffed at an appropriate level consistent with its funding awarded for the program; and ensure that at least 75% of planned activities in its local program plan for two consecutive calendar quarters in one state fiscal year are completed. The State's findings are that during the past three years there have been significant time periods without a designated coordinator responsible for TPEP, and other periods when staff identified to support TPEP activities have had to prioritize other department needs. Insufficient staff time has been allocated to TPEP and the program has not achieved local program plan objectives and has had limited success in achieving local program plan activities.

Malheur County was directed to submit different proposals describing proposed staffing solutions to meet the expectations of Program Element 13 Tobacco Prevention and Education Program by September 30th. Ms. Gerrard submitted three possible staffing solutions:

1. Hire a 0.8 to 1.0 FTE (Full Time Equivalent) TPEP Coordinator and use existing support staff to provide 0.2 TPEP Support (Total combined staffing of 1.0-1.2 FTE). This scenario would meet the expectations of the program as well as allow for some staff capacity to work on modernization and accreditation and provide backup coverage for high volume times; however, because the position that included the TPEP coordination was removed from this year's county budget it would be an added expense of hiring a nurse or health specialist position to this year's current budget (funded by General Fund).

2. Dedicate a current staff nurse as 0.5 TPEP Coordinator, and utilize a support staff member at 0.2 TPEP Support and another at 0.1 TPEP Support (Total combined staffing of 0.8 FTE). This

would allow for minimum adequate time for TPEP work to meet the expectations of the program; however, it would reduce staffing and revenue generation for other programs.

3. This scenario was started in July 1 and continues to present and includes the Director dedicating 0.25 to TPEP, the Nurse Supervisor dedicating 0.25 to TPEP, one support staff dedicating 0.2 to TPEP Support, and another support staff dedicated to 0.1 TPEP Support (Total combined staffing of 0.8 FTE). Ms. Gerrard explained that this plan is not working as evidenced by slow progress toward work plan goals and shortfall of staff hours put in the program; as of September 23, 2016 the program had a total combined actual FTE of just 0.33. The Director and Nurse Supervisor do not have time to allot 0.25 FTE each to the program, and what time is allotted to TPEP is piecemealed due to other competing demands.

A plan to implement a staffing solution to meet the program expectations of TPEP is to be submitted to the State by November 30, 2016. The matter can be discussed further with the State next week during the Exit Interview.

Ms. Gerrard also explained that having restricted funding streams through federal grants does not allow for a lot of flexibility and is impacting the capacity for communicable disease work. There is currently a syphilis outbreak in the county and the Department has been working to break the train of transmission. State STD (Sexually Transmitted Disease) program staff and a student specialist from the CDC (Center for Disease Control) have been onsite this week working with Health Department staff on the matter and doing outreach with various community partners. John Braese from the Malheur Enterprise joined the meeting.

Road Supervisor Richard Moulton and Watermaster Ron Jacobs joined the meeting.

REPRESENTATIVE BENTZ - 2017 TRANSPORTATION PACKAGE

Representative Cliff Bentz met with the Court regarding the Legislature's 2017 transportation package. The package is being worked on and could be impacted by results of the upcoming November 8th election. Representative Bentz gave a Powerpoint presentation explaining the condition of roads and bridges throughout the state. Representative Bentz stressed he is asking what the County Court wants him to do; do the people of District 60 want to pay more for roads, do the people know how far behind in maintenance the roads and bridges are throughout the state, and do the people know how much they currently pay for roads.

Oregon's current gas tax is 30 cents per gallon. The average driver drives 10,234 miles per year, and the average vehicle gets about 20 miles per gallon. Using these figures, the average driver uses about 511.70 gallons of fuel a year - which equates to \$153.51 per year, \$12.79 per month, or 1.5 cents per mile in gas taxes. One mile of new state highway costs about \$1 million.

Lieutenant Rob Hunsucker joined the meeting.

Funding for roads is also collected from other areas such as vehicle registrations and title fees. However, Oregon's fees/taxes are still lower than almost every other Western state, and total approximately \$0.44 per gallon.

A one-cent increase in the state gas tax would cost the average driver an additional \$0.43 per month or \$5.11 per year; and would raise approximately \$28 million. A five-cent increase would be about \$2.13 more per month; a ten-cent increase would be \$4.26 more per month; a 15-cent increase would be \$6.39 per month; and a 20-cent crease would be about \$8.52 per month. Oregon exports 80% of what it grows - using roads. Mr. Moulton is quoted in the Powerpoint presentation as saying that when a paved road reaches "poor" or "very poor" condition, it must be either replaced or reverted back to gravel. Chip coating currently cost approximately \$30 thousand per mile; 2-inch overlay is \$150 thousand per mile; and replacement is \$200-300 thousand per mile. Approximately 140 miles of the County road system is deemed "poor" and 55 miles as "very poor".

Seven ODOT (Oregon Department of Transportation) bridges in District 60 are identified as structurally deficient.

Chip sealing should be done on a 5-year rotation to maintain roads that are in good condition. There are thousands of miles of roads in the state, cities, and counties that need to be repaired or replaced. The people of District 60 need to decide how much they are willing to spend to take care of the roadways.

Ms. DuBois left the meeting.

Representative Bentz also explained that Oregon is overdue for a Cascadia event and there are many seismically vulnerable bridges in the state.

50% of each gas tax dollar goes to ODOT for use on state highways; which means gas tax monies raised from the populated areas on the Western side of the state are used on highways in Eastern Oregon.

Possible contents of the transportation package could include a state long-term plan; more funds for counties and cities; and transportation hubs.

Representative Bentz is asking if his constituents want the legislature to raise taxes for needed road and bridge improvements. Possible increases could include the gas tax and vehicle registration and title fees.

COURT ADJOURNMENT

Court was adjourned.