

**MALHEUR COUNTY COURT MINUTES**  
**December 18, 2024**

The regularly scheduled meeting of the County Court was called to order by Commissioner Jacobs with Commissioner Jim Mendiola present. Judge Joyce was absent. Members of the media, public and staff had the opportunity to join the meeting electronically or in-person. Present in the meeting room were: Administrative Officer Lorinda DuBois, Economic and Community Development Director Taylor Rembowski, IS (Information Services) Director Joshua Kreger, Road Supervisor Dave Tiffany and Antonio Sunseri with the Argus Observer. 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 # 2024-3416

**ENVIRONMENTAL HEALTH - BAKER COUNTY FIPP**

County Counsel Stephanie Williams, Environmental Health Clerk Kelly Friend, REHS (Registered Environmental Health Specialist) Evan Magner and Melissa Ney discussed the agreement with Baker County for the Foodborne Illness Prevention Program (FIPP). The Environmental Health department has been understaffed for several years. (since July 2022). Melissa Ney has been contracting with the County to provide inspection services for several years as well as oversight of Mr. Magner when he was an EHS (Environmental Health Service) trainee. The Environmental Health Department is responsible for the County's foodborne illness prevention program, on-site septic program, Lytle Blvd. Landfill, franchise agreements with the waste disposal companies, and recycling program. Additionally, the County provides inspection services (FIPP) in Baker County. Mr. Magner is now a Registered Environmental Health Specialist (REHS). Ms. Ney has indicated that she does not wish to continue to contract with the County for inspection services long-term; she is willing to help through the end of the fiscal year (June 2025). There is concern that it may be difficult to hire a second REHS or EHS trainee. Staff requested the Court consider terminating its IGA (Intergovernmental Agreement) with Baker County for the Foodborne Illness Prevention Program; the IGA requires six months written notice to Baker County. Environmental Health will still need to be fully staffed to fulfill the responsibilities of all programs in Malheur County (2 REHS and one support staff). Ms. Ney commented on the importance of keeping two full-time inspectors in the department for Malheur County. After discussion the Court was agreeable to terminating the IGA with Baker County; and maintaining the staffing levels in the department to include two inspectors and one support staff. Commissioner Jacobs said he would make phone contact with Baker County. Commissioner Mendiola moved to sign a letter to Baker County of the County's six months' advance written notice terminating the IGA. Commissioner Jacobs seconded and the motion passed. See instrument # 2024-3421

Ms. Friend noted that Idaho Power should begin work on the power project for the landfill in late January 2025.

## **COURT MINUTES**

Commissioner Mendiola moved to approve Court Minutes of December 11, 2024 as written. Commissioner Jacobs seconded and the motion passed.

## **ARPA PROJECTS**

The Court continued the discussion from last week regarding ARPA (American Rescue Plan Act) funding; \$274,434.61 remains in ARPA and the funding must be obligated by December 31, 2024. Projects under consideration include: heating units for the Ironhead building; Bully Creek Park irrigation system and various IT (Information Technology) projects. Ms. DuBois explained there is enough funding to do the Ironhead heating project, the IT projects, and purchase a storage unit for the Building Department. (The quote for the storage unit is slightly over the available funding but the Building Department has agreed to pay for the difference from its budget.) LATCF (Local Assistance and Tribal Consistency Fund) funding could be used for the Bully Creek irrigation project. The Court members noted that they expect Bureau of Reclamation to contribute funding to the irrigation project. Commissioner Mendiola moved to obligate the remaining ARPA funds to the Ironhead heating project, IT projects, and a storage unit for the Building Department. Commissioner Jacobs seconded and the motion passed.

Mr. Tiffany and Mr. Kreger left the meeting.

## **LINE OF CREDIT - MCDC**

MCDC (Malheur County Development Corporation) Executive Director Shawna Peterson met with the Court. The current line of credit expires the end of December and is \$250,000. MCDC is requesting the line of credit be extended to June 2025 and increased to \$300,000. There are currently some outstanding invoices going through the ODOT (Oregon Department of Transportation) reimbursement process and additional activity and invoices is likely. Commissioner Mendiola moved to extend the line of credit to June 2025 in the amount of \$300,000, Commissioner Jacobs seconded and the motion passed. The Court signed Resolution R24-27- In the Matter of: Resolution Extending, Increasing and Guaranteeing the Line of Credit with Bank of Eastern Oregon to the Malheur County Development Corporation (MCDC) in the amount of \$300,000 for the Treasure Valley Reload Center, in order for MCDC to pay bills and receive reimbursement from the Oregon Department of Transportation under Oregon State Agreement No. 33744 and amendments thereto; and Authorizing Malheur County to be the Guarantor. See instrument # 2024-3417

## **PLANNING DEPARTMENT**

Planning Department Director Carol Parker met with the Court and gave a department update. The office has been reconfigured; filing cabinets are removed and new desks are in place. The office is now open through the lunch hour (the Clerk and Planning Manager are staggering lunches and Ms. Parker is present). Commissioner Jacobs commented that the majority of the departments are not open during the noon hour; Ms. DuBois noted the Clerk's Office and Assessor's Office do not close for lunch which is more convenient for the public.

## **STATEWIDE TRANSPORTATION IMPROVEMENT FUND (STIF) PLAN AND PROJECTS**

Malheur Council on Aging & Community Services (MCOA&CS) Transportation Manager Brittany White met with the Court and reviewed the proposed Biennium 2025-2027 STIF (Statewide Transportation Improvement Fund) Plan and budget. New projects in the STIF Plan are Veteran Medical Transportation as the County contributed \$100,000 towards this service; and the vehicle security equipment (cameras). The STIF Advisory Committee has reviewed the Plan and recommended the Plan be submitted. Commissioner Mendiola moved to approve the Statewide Transportation Improvement Fund (STIF) Plan for the 2025-2027 Biennium and the recommended list of projects as approved by the STIF Advisory Committee. Commissioner Jacobs seconded and the motion passed. The STIF Plan and application will be submitted to ODOT. See instrument # 2024-3451 for the Executive Summary of Projects and budget.

## **ROAD ACCEPTANCE**

Surveyor Derrick McKrola met with the Court and presented a road acceptance on a partition plat for the Court's consideration. Commissioner Jacobs moved to accept road dedication of a portion of Mitchell Butte Road on Chris Paulsen's Partition Plat #24-16. Commissioner Mendiola seconded and the motion passed. See instrument # 2024-3420

## **EXECUTIVE SESSION**

Executive Session was called in accordance with ORS (Oregon Revised Statutes) 192.660(2)(e) Real Property Transactions and ORS 192.660(2)(f) Exempt Public Records with Commissioner Jacobs presiding and Commissioner Mendiola present. Also present were County Counsel Stephanie Williams, Administrative Officer Lorinda DuBois, Economic and Community Development Director Taylor Rembowski, Antonio Sunseri with the Argus Observer, and Steven Mitchell with the Malheur Enterprise was present electronically. No decisions were made during the session.

## **LETTER OF INTENT**

Commissioner Mendiola moved to authorize Judge Joyce to sign a final letter of intent as long as it has been approved by MCDC, County Counsel and County staff. Commissioner Jacobs seconded and the motion passed. See instrument # 2024-3556 for the Binding Letter of Intent between Malheur County, Malheur County Development Corporation, and JTH LLC.

## **COURT ADJOURNMENT**

The meeting was adjourned.