

MALHEUR COUNTY COURT MINUTES
May 1, 2024

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. Members of the media, public and staff had the opportunity to join the meeting electronically or in-person. Staff present in the meeting room were Administrative Officer Lorinda DuBois and Economic and Community Development Director Taylor Rembowski. 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 # [2024-1270](#)

TREASURE VALLEY PARAMEDICS (TVP) - QUARTERLY REPORT

TVP, Inc. President Steve Patterson and Vice-President Heather Land met with the Court and provided a quarterly update per the terms of the personal services contract amendment. Mr. Patterson said that the new system is working well; more advanced staff is available in Nyssa, communication and staging is good, as is morale. Staffing continues to be a challenge nationwide. TVP makes several trips to Boise daily which increases the mechanical needs of the ambulances; the secure transport car is being used when the transport does not require an ambulance.

CROSSING PERMITS

Commissioner Jacobs moved to approve the following Crossing Permits: Permit #42-24 to Pacific Power for work on Owyhee Lake Road #846; Permit # 43-24 to Idaho Power for work on 8th Avenue W #1094; Permit # 44-24 to Idaho Power for Work on Grove Road #920; and Permit # 45-24 to Cascade Natural Gas for work on NW 4th Avenue #890. Commissioner Mendiola seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

COURT MINUTES

Commissioner Mendiola moved to approve Court Minutes of April 17, 2024 as written. Commissioner Jacobs seconded and the motion passed unanimously.

SUPPLEMENTAL BUDGET RESOLUTION

Commissioner Jacobs moved to approve Supplemental Budget Resolution R24-10: In the Matter of Fiscal Year 2023/2024 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Mendiola seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate Oregon Department of Agricultural grant funds that were not anticipated when the budget was adopted - these funds will be used for pest management initiatives to mitigate the impact of grasshoppers and Mormon crickets; to allocate Homeland Security grant funds that were not anticipated when the budget was adopted - these funds will be used to purchase and install a radio repeater on Owyhee Ridge; and to allocate Insurance Proceeds that were not anticipated when the budget was adopted - these funds will be used for the repair of the damages caused by the water heater at the Health Department. See instrument # [2024-1272](#)

IDAHO POWER LEASE

Commissioner Mendiola moved to approve Lease with Idaho Power Company. Commissioner Jacobs seconded and the motion passed unanimously. Idaho Power will lease the County property at 809 Bassett Street in Jordan Valley for five months for a staging area. See instrument # [2024-1273](#)

OLCC LICENSE - OWYHEE GROCERY

Commissioner Jacobs moved to approve Oregon Liquor & Cannabis Commission (OLCC) Application for Additional Privilege for Tyler Simpson/Owyhee Grocery at 2499 Hwy 201, Nyssa. Commissioner Mendiola seconded and the motion passed unanimously.

PROCLAMATION - BUILDING SAFETY MONTH

Building Official Adele Schaffeld met with the Court and presented a proclamation declaring the month of May as Building Safety Month; also present in support of Building Safety Month were Kraig Stevenson, ICC (International Code Council) Government Relations; Jim Sayers, ICC Board of Directors; David Spencer, ICC Vice President; Jack Applegate, ICC Board of Directors; Alana Cox, Building Codes; and Kylee Ruby, Wasco County Deputy Building Official. Themes for this year's Building Safety Month are: Understanding the Mission; Preparing a Building Safety Plan; Learning from the Pros; Engaging Your Community; and Celebrating Success in Building Safety.

Ms. Schaffeld read the proclamation:

PROCLAMATION - BUILDING SAFETY MONTH - MAY 2024

Whereas, our County is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings and infrastructure play, both in everyday life and when disasters strike, and;

Whereas, our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

Whereas, these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state, territorial, tribal and federal officials who are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work and play, and;

Whereas, these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes, and;

Whereas, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our

local code officials—who assure us of safe, sustainable and affordable buildings that are essential to our prosperity, and;

Whereas, “Mission Possible,” the theme for Building Safety Month 2024, encourages us all to raise awareness about building safety on a personal, local and global scale, and;

Whereas, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, we, the County Court of Malheur County do hereby proclaim the month of May 2024 as Building Safety Month. Accordingly, we encourage our citizens to join us as we participate in Building Safety Month activities.

Commissioner Jacobs moved to declare May 2024 as Building Safety Month in Malheur County. Commissioner Mendiola seconded and the motion passed unanimously.

Mr. Stevenson expressed praise for the integrity, leadership and commitment to community safety that Ms. Schaffeld displays; Mr. Spencer and Mr. Sayers echoed Mr. Stevenson comments and the Court members thanked Ms. Schaffeld for her dedication to the program and Eastern Oregon.

Ms. Schaffeld thanked those present for their partnership and participation with Building Safety Month in Malheur County.

Lifeways CEO Steve Jensen joined the meeting.

AMENDMENT - IGA #180022

Commissioner Jacobs moved to approve Seventh Amendment to Oregon Health Authority 2023-2025 Intergovernmental Agreement for the Financing of Public Health Services, IGA #180022. Commissioner Mendiola seconded and the motion passed unanimously. \$776 is added to Program Element (PE) 01-09.

OREGON DEPARTMENT OF ENERGY GRANT APPLICATION - FRY FOODS

Mr. Rembowski explained that the grant application to Department of Energy for a C-REP grant for construction of ground mounted solar modular arrays at Fry Foods will be finalized next week and a letter of authorization is needed to submit the grant. Commissioner Mendiola moved to sign the letter of authorization for submission of the Oregon Department of Energy C-REP grant. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # [2024-1290](#)

ODA GRANT AGREEMENT - GRASSHOPPER & MORMON CRICKET

Commissioner Jacobs moved to approve Oregon Department of Agriculture (ODA) Grasshopper and Mormon Cricket General Fund Allocation Grant, 2024 Grant Agreement - Grant #: ODA-4525-GR, nunc pro tunc to April 26, 2024. Commissioner Mendiola seconded and the motion

passed unanimously. The County has been awarded \$100,000 to support pest management initiatives that mitigate the impact of grasshoppers and Mormon crickets on agricultural crops. See instrument # [2024-1271](#)

Lifeways Board Member Dave Waldo joined the meeting.

IGA - TREATMENT COURT

Commissioner Mendiola moved to approve Intergovernmental Agreement with Oregon Judicial Department for the Malheur County Adult Treatment Court. Commissioner Jacobs seconded and the motion passed unanimously. Funds are held by the County in a special fund for Treatment Court. See instrument # [2024-1274](#)

PROCLAMATION - TREATMENT COURT MONTH

Circuit Court Judge Erin Landis, SAFE (Stop Addiction Forever) Court Program Coordinator Lydia Machuca, and Trial Court Administrator Marilee Aldred met with the Court and presented a Proclamation declaring the month of May as Treatment Court Month. Judge Landis updated the Court on changes with the program and the criminal justice system. Grant funding was received that will grow and expand services of the SAFE Court program. HB 4002 (2024) re-criminalizes possession of small amounts of certain controlled substances and that will have an impact on SAFE Court; more participation in SAFE Court is expected. There will also be a deflection program as a result of HB 4002.

Judge Landis read the Proclamation:

Malheur County
PROCLAMATION
"National Treatment Court Month"
May 2024

WHEREAS according to All Rise, treatment courts are the most successful intervention in our nation's history for leading people with substance use and mental health disorders out of the justice system and into lives of recovery, stability, and health; and

WHEREAS there are now more than 4,000 treatment courts nationwide; and

WHEREAS treatment courts are the cornerstone of justice reform sweeping the nation; and

WHEREAS treatment courts have transformed the way the justice system responds to people with substance use and mental health disorders by combining accountability with evidence-based treatment; and

WHEREAS treatment courts annually refer more than 150,000 people to lifesaving treatment and recovery support services; and

WHEREAS treatment courts save an average of \$6,000 for every individual they serve; and

WHEREAS according to All Rise, treatment courts significantly improve substance use disorder treatment outcomes, substantially reduce addiction and related crime, and do so at less expense than any other justice strategy; and

WHEREAS treatment courts improve education, employment, housing, and financial stability, promote family reunification, reduce foster care placements; and

WHEREAS treatment courts facilitate community-wide partnerships, bringing together public safety and public health; and

WHEREAS treatment courts demonstrate that when one person rises, we all rise.

THEREFORE, BE IT RESOLVED that Malheur County declares that Treatment Court Month be established during the month of May.

Commissioner Jacobs moved to declare May as Treatment Court Month. Commissioner Mendiola seconded and the motion passed unanimously.

ALTRUISTIC RECOVERY AND INSIGHT COUNSELING

Annette Volk with Altruistic Recovery and Becky Wolery with Insight Counseling met with the Court. Altruistic Recovery services include a behavioral health clinic, substance use mental health, DUI program, domestic violence, Juvenile MRT (Moral Reconciliation Therapy), has a presence at Ontario High School, and teaches classes at TVCC (Treasure Valley Community College) and SRCI (Snake River Correctional Institute). Insight Counseling and Therapy has locations in Payette and Nampa, Idaho, and Ontario, Oregon; has 35 clinicians, and focuses primarily on mental health issues and counseling and offers case management. Insight Counseling has a presence at Huntington School District, Nyssa School District and Ontario School District, and has a walk-in clinic at TVCC. Ms. Volk and Ms. Wolery shared concerns from a recent meeting with GOBHI (Greater Oregon Behavioral Health Inc.) that the Community Mental Health Provider (Lifeways) would be servicing all Oregon Medicaid clients and that Altruistic Recovery and Insight Counseling may no longer be authorized to provide services to Medicaid clients. Ms. Volk requested assistance from the Court in letting GOBHI know that the clients want to have a choice of providers. Ms. Wolery noted that assistance from the local Senator and Representative has been requested also.

Judge Joyce requested Mr. Jensen explain the community mental health program. Mr. Jensen explained that the County is the Local Mental Health Authority; the County contracts with Lifeways to provide the services required under its State (Oregon Health Authority) IGA; the IGA includes requirements such as 24/7 crises services, assertive community treatment, supported employment services, early childhood assessment services, and intensive in-home behavioral health treatment; the IGA does not fully fund the required programs. The County's IGA is for services that are outside of traditional counseling services. The Eastern Oregon Coordinated Care Organization (EOCCO) is the pass through agency for the Medicaid services for counseling type services that can be provided on a fee for service basis or a capitated basis. GOBHI operates on a capitation method and has a per member per month fee for an organization to provide required services; the capitation dollars help to supplement the OHA

required services. Lifeways is the in-network provider for GOBHI. Ms. Volk's and Ms. Wolery's companies are required to seek out-of-network authorizations to provide services. GOBHI wants the Medicaid clients to receive all of the services they may need that are required under the IGA; an out-of-network provider does not provide all of the required services. Ms. Volk explained that both herself and Ms. Wolery are aware of the services Lifeways provides and that they transfer clients if they are unable to provide what the client needs. The system is complicated and involves OHA, GOBHI, and EOCCO; client choice is important.

Judge Joyce requested Ms. Volk and Ms. Wolery put their concerns and solutions in writing for both Lifeways and the Court.

OWYHEE WATERSHED COUNCIL

Owyhee Watershed Council Nicole Sullivan met with the Court and requested the Court's support for an OWEB (Owyhee Watershed Enhancement Board) grant application. If awarded, the grant funds would be used to support a dedicated coordinator position for the Malheur Rangeland Strategy Partnership. Commissioner Mendiola moved to support the grant application and participate and support the Malheur Rangeland Strategy Partnership through the 3-year grant performance period. Commissioner Jacobs seconded and the motion passed unanimously. See instrument # [2024-1275](#)

INTERIM PLANNING DIRECTOR

County Counsel Stephanie Williams explained that ORS requires the County have a Planning Director and requested Judge Joyce be appointed interim planning director with signatory authority while other possibilities for interim planning director/planning director are explored. Commissioner Mendiola moved to appoint Judge Joyce as temporary interim planning director. Commissioner Jacobs seconded and the motion passed.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.