

MALHEUR COUNTY COURT MINUTES
January 22, 2025

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. with Commissioner Jacobs and Commissioner Mendiola present. Members of the media, public and staff had the opportunity to join the meeting electronically or in-person. Present in the meeting room was 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 # 2025-0173

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 Oak Road on Jennifer Arreola's Partition Plat #25-02. Commissioner Mendiola seconded and the motion passed unanimously. See instrument #2025-0178

CROSSING PERMITS

Commissioner Mendiola disclosed that he is the contractor for Permit #3-25 and abstained from voting on approval of the crossing permits. Judge Joyce moved to approve Crossing Permit #2-25 to Rally Networks for work on Railroad Avenue #874, Clark Blvd #857, Butler Blvd #887 and SW 18th Avenue #887; and Crossing Permit #3-25 to Jeanie Crow for construction of an access approach on Vale View Road #877. Commissioner Jacobs seconded and the motion passed. Original permits will be kept on file at the Road Department.

FARMERS MUTUAL TELEPHONE COMPANY (FMTC)

Farmers Mutual Telephone Company (FMTC) General Manager Ron Rembelski and Outside Plant Manager Blake Seamons met with the Court. FMTC received a grant from the Oregon Broadband Office for the Malheur County Broadband Project; grant funding will be used to bring fiber optic internet access to 931 unserved/underserved locations in Malheur County. Mr. Rembelski thanked the Court for its letter of support for the project. A map of the project was shared with the Court. Construction is anticipated to begin August 2025 and must be completed by September 2026. FMTC may also pursue BEAD (Broadband Equity Access & Development) funding. See instrument # 2025-0185 for the map.

WILDLIFE SERVICES - UPDATE

Scott Phillips, Wildlife Specialist with USDA (United States Department of Agriculture) APHIS (Animal and Plant Health Inspection Services) Wildlife Services met with the Court and provided a general update; and answered questions from the Court members. Starling work started in October and has been very busy; the bird flu does not seem to affect starlings. The beaver quota has been met. Coyote work will increase in the spring. Badger work has taken place at SRCI (Snake River Correctional Institution) and the airport. It is hoped to increase the numbers allowed for raven work in the future. Ravens consume bird eggs including sage grouse and pheasant. Skunks,

raccoon, badgers and feral cats are also sage grouse predators. The financial proposal for next fiscal year is currently being put together and will be submitted for consideration.

SAGE GROUSE

Planning Director Carol Parker met with the Court and provided an update on the Land Conservation and Development Commission (LCDC) Sage Grouse habitat maps. Ms. Parker virtually attended the hearing that was held at the Harney County Courthouse on January 21, 2025; and the final opportunity to offer public comment is at LCDC's public hearing on January 23, 2025. LCDC is considering adoption of the Oregon Department of Fish and Wildlife's updated maps of Sage-Grouse habitat. The maps provide the basis of the Oregon Administrative Rule for local government review of proposed development that may impact significant Sage-Grouse habitat. Ms. Parker explained the County may be asked to include the sage grouse regulations in its development code and comprehensive plan. Landowners may be asked to enter into a Candidate Conservation Agreement with Assurances (CCAA). The Court members noted that ODFW (Oregon Department of Fish and Wildlife) is still issuing hunting tags for sage grouse. The Court requested Ms. Parker contact DLCD (Department of Land Conservation and Development) and obtain more information, including what agency enforces a landowner entering into a CCAA.

COURT MINUTES

Commissioner Mendiola moved to approve Court Minutes of January 15, 2025 as written. Commissioner Jacobs seconded and the motion passed unanimously.

SPECIAL MEETING MINUTES

Commissioner Jacobs moved to approve Special Meeting Minutes of January 13, 2025 as written. Commissioner Mendiola seconded and the motion passed unanimously.

UPDATED COUNTY POLICIES

Commissioner Jacobs moved to approve updated County Policy 106 - Travel and Employee Incurred Expenses. Commissioner Mendiola seconded and the motion passed unanimously. Employees who choose to use their own vehicle when traveling will be reimbursed at the current GSA (General Services Administration) rate. See instrument # 2025-0180

Commissioner Jacobs moved to approve updated County Policy 325 - Paid Leave Oregon. Commissioner Mendiola seconded and the motion passed unanimously. Paid Leave Oregon does not count as hours worked for holiday pay, overtime or compensatory time off. See instrument # 2025-0181

Commissioner Jacobs moved to approve updated County Policy 311 - Retirement/Employment of PERS (Public Employees Retirement System) Retirees. Commissioner Mendiola seconded and the motion passed unanimously. Effective July 1, 2025 PERS retiree employees will receive holiday pay. See instrument # 2025-0179

BARGAINING AGREEMENT - SHERIFF'S ASSOCIATION

Commissioner Jacobs moved to approve Integrated Collective Bargaining Agreement between Malheur County Sheriff's Office and Malheur County Sheriff's Association. Commissioner Mendiola seconded and the motion passed unanimously. The agreement expires December 31, 2027. See instrument # 2025-0177

PERS RETIREE EMPLOYMENT AGREEMENTS - DENNIS, DALTON, MILLER

Commissioner Jacobs moved to approve Child Support Specialist/Malheur County District Attorney's Office - employment of PERS retiree Employment Agreement with Teresa (Teri) Miller; Maintenance Supervisor - employment of PERS retiree Employment Agreement with Don Dalton; and Accounting Specialist/Malheur County Road Department - employment of PERS retiree Employment Agreement with Shelly Dennis. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2025-0175, 2025-0174, 2025-0176

FAIR BOARD APPOINTMENT

Commissioner Mendiola moved to reappoint Jennifer Hall to the Fair Board. Commissioner Jacobs seconded and the motion passed unanimously.

MALHEUR WATERSHED COUNCIL

Commissioner Jacobs moved to appoint Bill Buhrig to the Malheur Watershed Council. Commissioner Mendiola seconded and the motion passed unanimously.

COURT ADJOURNMENT

Commissioner Mendiola moved to adjourn the meeting. Commissioner Jacobs seconded and the motion passed unanimously.