

MALHEUR COUNTY COURT MINUTES
February 26, 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. 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 # 2025-0508

EXECUTIVE SESSIONS

Executive Session was held in accordance with ORS (Oregon Revised Statutes) 192.660(2)(a) with Judge Joyce presiding and Commissioner Jacobs and Commissioner Mendiola present. Also present were Administrative Officer Lorinda DuBois, Melissa Ney, and Evan Manger. No decisions were made during the session.

Executive Session was held in accordance with ORS 192.660(2)(h) with Judge Joyce presiding and Commissioner Jacobs and Commissioner Mendiola present. Also present were County Counsel Stephanie Williams, Administrative Officer Lorinda DuBois, IS (Information Services) Director Joshua Kreger, and IS Coordinator Ty Hemeon. No decisions were made during or following the session.

Executive Session was held in accordance with ORS 192.660(2)(e) with Judge Joyce presiding and Commissioner Jacobs and Commissioner Mendiola present. Also present were County Counsel Stephanie Williams and Administrative Officer Lorinda DuBois. No decisions were made during or following the session.

COURT MINUTES

Commissioner Mendiola moved to approve Court Minutes of February 19, 2025 as written. Commissioner Jacobs seconded and the motion passed unanimously.

WILDFIRE HAZARD CLASSIFICATION AND WUI APPEAL

Commissioner Jacobs explained that he would like the Court to submit an appeal to Oregon Department of Forestry (ODF) for six (6) properties owned by Malheur County that have been designated on the Statewide Wildfire Hazard Map as a High Hazard Zone and within the Wildland-Urban Interface (WUI). Additionally, Commissioner Jacobs requested the Court submit an appeal of all properties in Malheur County that have been designated as a High Hazard Zone and within the WUI (approximately 579 tax lots).

Commissioner Jacobs moved to appeal the Statewide Wildfire Hazard Map designation for six (6) County-owned properties that have been designated as High Hazard Zone and within the WUI. Commissioner Mendiola seconded and the motion passed unanimously.

Commissioner Jacobs moved to appeal the Statewide Wildfire Hazard Map designation for all properties in Malheur County that have been designated as High Hazard Zone and within the WUI (approximately 579 tax lots). Commissioner Mendiola seconded and the motion passed unanimously.

PERS RETIREE EMPLOYMENT AGREEMENT- HARRIMAN

Commissioner Jacobs moved to approve Lieutenant Malheur County Sheriff's Office - employment of PERS (Public Employees Retirement System) retiree Employment Agreement with Richard Harriman. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2025-0509

WILDFIRE HAZARD CLASSIFICATION AND WUI APPEAL

County Counsel noted that some counties are drafting resolutions in opposition rather than submitting the ODF appeal forms for the tax lots that are classified as High Hazard and within the WUI (not county-owned properties). A letter in opposition from the Court could also be drafted; Judge Joyce noted that Eastern Oregon Counties Association (EOCA) had submitted a letter in opposition.

UNCOLLECTIBLE PERSONAL PROPERTY TAXES

Commissioner Jacobs moved to approve Order GO-04-25: In the Matter of Uncollectible Taxes on Personal Property Situated within Malheur County and the Cancellation Thereof. Commissioner Mendiola seconded and the motion passed unanimously. One account was cancelled; total charge off is \$1311.45. See instrument # 2025-0510

CONTRACT WITH LIFEWAYS FOR MEDICATION-ASSISTED TREATMENT (MAT)

Commissioner Jacobs moved to approve Personal Service Contract between Lifeways, Inc. and Malheur County for Buprenorphine/Medication-Assisted Treatment for Opioid Addictions (MAT) to Adults-In-Custody (AIC) within the Malheur County Jail. Commissioner Mendiola seconded and the motion passed unanimously. Payment to Lifeways for services is through Eastern Oregon Coordinated Care Organization (EOCCO); the County received a grant from the Criminal Justice Commission for training, supplies and licensing fees for services under this contract.

ENVIRONMENTAL HEALTH DIRECTOR

The Court directed staff to develop a workplan for an underfill for the Environmental Health Director position.

DECLARATION OF STATE OF EMERGENCY

Lieutenant Rich Harriman and Sheriff Travis Johnson met with the Court. Lieutenant Harriman presented a resolution declaring a state of emergency within Malheur County due to flooding and high-water conditions. Also present was District Attorney Dave Goldthorpe. Heavy rains, warmer temperatures and melting snow have contributed to excessive flows in the Malheur River; Hwy 20 has been closed due to water over the roadway since February 24th and other roads are impassable due to high water; leaks have developed in the Bully Creek Levee system resulting in an emergency

level 1 notice being sent to Vale residents; and the Nevada ditch on Hwy 20/26 broke and is filling up a field and will start spilling over the highway. Commissioner Jacobs moved to approve Resolution R25-07: In the Matter of Declaring a State of Emergency within Malheur County. Commissioner Mendiola seconded and the motion passed unanimously. See instrument # 2025-0497

OREGON GOVERNMENT ETHICS COMMISSION OPINION

County Counsel shared an Oregon Government Ethics Commission (OGEC) letter of advice with the Court members. Per the OGEC public officials must declare a potential conflict if they own property affected by the wildfire hazard map. Commissioner Jacobs and Commissioner Mendiola confirmed they do not own property designated as both a high hazard zone and within the wildland-urban interface. Judge Joyce did not believe that any of his properties were designated as both high hazard zone and within the wildland-urban interface; he will review the OGEC opinion and his properties.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.