

From: [Mark Yeager](#)
To: [Coffin Butte Landfill Appeals](#)
Subject: Responsive Open Record Period - Reconsideration
Date: Tuesday, February 3, 2026 11:27:02 AM
Attachments: [Ex Parte Communications WV Trash Task Force Chair Malone.pdf](#)

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Dear County Commissioners - I am attaching my testimony regarding ex-parte communications during this responsive open record period.

Thank you.

Mark Yeager

February 3rd, 2026

Delivered via email to:

Benton County Board of Commissioners through landfillappeals@bentoncountyor.gov

Case: LU-24-027

Dear Board of Commissioners:

This testimony is submitted in response to the testimony previously submitted in the open record period regarding ex-parte communications by Commission Chair Pat Malone:
BOC4_T0731 - Jan 20, 2026 - YEAGER Mark

At the Board's hearing on January 20, 2026, Chair Malone disclosed only that the general subject matter of the Legislative Task Force he chairs is the future of waste management in the Willamette Valley. The future and lifespan of the Coffin Butte landfill is a key aspect of the Task Force discussions, and it has been referenced multiple times in Task Force presentations. That question is before this Board now. Julie Jackson, an employee of Republic Services, the Applicant in this land use proceeding, serves with him on that Task Force. So do others (e.g., industry representatives, city and county representatives that rely on Coffin Butte) with a vested interest in the future of Coffin Butte landfill. I had the right to inquire as to the substance of any ex parte communications between Chair Malone and Ms. Jackson and others regarding the subject matter at hand. Had those communications been disclosed, I and others could have rebutted their contents. Those communications might also have revealed prejudgment of the decision or actual bias, requiring recusal.

More recently, at the January 30, 2026, meeting of the Task Force which I attended in person, Chair Malone requested that all communications among members in advance of the next Task Force meeting be conducted privately prior to March 30. Apparently, he is concerned about my efforts to inquire. I hereby renew my request that Mr. Malone disclose and be instructed to disclose the substance of any such communications, especially with Ms. Jackson or other representatives of Republic Services, regarding the future of the Coffin Butte landfill, commencing with the appointment of task force members and continuing through the time of your decision on reconsideration. I further request the opportunity to rebut the substance of those communications before a decision is reached.

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