



Council Meeting

Tuesday – April 24th, 2018
7:00 p.m. in Council Chambers

Table of Contents

| | |
|----|--|
| 1 | Agenda |
| 3 | <i>Minutes: March 27th, 2018</i> |
| 10 | Administrator |
| 19 | Public Works |
| 21 | Planning |
| 22 | Sheriff |
| 23 | Court |
| 24 | Library |
| 25 | Resolution 2018.10: Verification of Services (SRS) |
| 26 | Ordinance 772: Nuisance Abatements (<i>First Reading</i>) |
| 33 | Ordinance 773: Attractants (<i>First Reading</i>) |
| 35 | Ordinance 774: Noise (<i>First Reading</i>) |
| 37 | Ordinance 775: Animals (<i>First Reading</i>) |
| 38 | Older Americans Month Proclamation |
| 39 | Mental Health Month Proclamation |
| 40 | Appointee Letters |
| 42 | OLCC Renewal Letter |
| 45 | OSU Internship Details |
| 50 | Council Values |
| 53 | Council Goals (<i>January 2018 Update</i>) |
| 58 | Marijuana: Measure 56 & Beyond |
| 66 | Jon Erwin Letter |
| 67 | Ram Trucking Thank You |
| 68 | DEQ TMDL Cover Letter |
| 70 | Marijuana Related Articles |
| 82 | Housing Article |
| 85 | Linn County Article |
| 87 | PERS Related Articles |
| 94 | Trout Creek |
| 96 | March Financials |



CITY OF BROWNSVILLE

Council Meeting

Tuesday, April 24th, 2018

Location: City Hall in Council Chambers

AGENDA

Regular Session

7:00 p.m.

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) PLEDGE OF ALLEGIANCE
- 4) ADDITIONS OR DELETIONS TO AGENDA
- 5) MINUTES: March 27th, 2018
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
 - A. Sweet Home Sanitation – Recycling Report
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Public Works
 - C. Administration
 - D. Library
 - E. Court
 - F. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
 - ★ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.
- 9) LEGISLATIVE:

This Agenda is a list of the subjects anticipated to be considered at the meeting, but the Council may consider additional subjects as well. The location of the meeting is accessible to physically challenged individuals. Should special accommodations be needed, please notify City Administrator S. Scott McDowell at (541) 466-5880 in advance. Thank You.



- A. **Resolution 2018.10:** Verification of Services
- B. **Ordinance 772:** Nuisance Abatements (*First Reading*)
- C. **Ordinance 773:** Attractants (*First Reading*)
- D. **Ordinance 774:** Noise (*First Reading*)
- E. **Ordinance 775:** Animals (*First Reading*)

10) ACTION ITEMS:

- A. Mental Health Month Proclamation
- B. Older Americans Month Proclamation
- C. Appoint Board & Commission Members
- D. OLCC Renewals
- E. Oregon State University Internship Program

11) DISCUSSION ITEMS:

- A. Proposed Language – Marijuana Regulation (*Measure 56*)
- B. March Financials

12) CITIZEN QUESTIONS & COMMENTS

- ✦ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.

13) COUNCIL QUESTIONS & COMMENTS

14) ADJOURN

This Agenda is a list of the subjects anticipated to be considered at the meeting, but the Council may consider additional subjects as well. The location of the meeting is accessible to physically challenged individuals. Should special accommodations be needed, please notify City Administrator S. Scott McDowell at (541) 466-5880 in advance. Thank You.



Council Minutes

March 27th, 2018

ROLL CALL: Council President Gerber called the meeting to order at 7:00 p.m. with Councilors Neddeau, Block, Shepherd, Chambers and Mayor Don Ware present. Administrative Assistant Tammi Morrow, Public Works Karl Frink and City Administrator Scott McDowell were also present.

PUBLIC: Kim Clayton, Elizabeth Coleman, Sergeant Greg Klein (*LCSO*), Tricia Thompson, Alex Paul (*Democrat Herald*), Jordan Parrish (*The Times*), Linda McCormick, Sarah Helgeson (*United Way*), Katie Cheney (*CLRA*), and Glenn Reinemer.

The pledge of allegiance was recited.

ADDITIONS AND DELETIONS: McDowell had a number of agenda additions tonight:

Under Legislative Items:

B. R 2018.08 Social Media

C. R 2018.09 Compensatory Time

Under Action Items:

C. Consider Appointment of Don Lyon to Historic Review Board

D. Mayoral Proclamation – Child Abuse Prevention & Awareness Month

E. Museum Road Closure Request

F. Steve LaCoste Road Closure Request.

MINUTES: Mayor Ware made a motion to approve the February 27th, 2018 meeting minutes as presented. Councilor Shepherd seconded the motion, and it passed unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

1. **Oath of Office – Tricia Thompson.** Judge Lemhouse was present to administer the Oath of Office to Tricia Thompson. Tricia was appointed by Council to fill Mandy Cole's vacant seat. Councilor Gerber congratulated Councilor Thompson and welcomed her to the dais.
2. **Stand By Me – Linda McCormick.** Event organizer Linda McCormick presented a flyer to Council about the July 23rd event. It will be held on a Monday this year. She has checked with all the neighbors regarding the road closure request. Mayor Don Ware made a motion to approve the closure of Park Avenue on July 23rd, 2018 for this event. Councilor Gerber seconded the motion, and it passed unanimously.

DEPARTMENT REPORTS:

1. **Sheriff's Report.** Sergeant Greg Klein was present to recap the month. In February LCSO spent 201.5 total hours for the City, resulting in 33 hours on traffic, 5 citations, 4 warnings, and 58 complaints. Klein stated that citation numbers were down, but he has checked March and so far for the month, there 9 citations, with 25 warnings. Sergeant Klein also reminded Council that Sheriff Bruce Riley is retiring, effective June 1st, 2018. Undersheriff Jim Yon will be taking over his position, and Paul Timm has been appointed to be the new Undersheriff.



Council Minutes

2. **Public Works.** Public Works Superintendent Karl Frink reported that the leaf cleanup in Pioneer Park is finished. The Dollar General project is complete. Frink has been working on records, the cross-connection program, etc. The instruments at the Water Treatment Plant have been calibrated. One controller failed, and has been sent in for repair, at a cost of approximately \$1,000. Public Works has also been flushing hydrants around town. Frink is flushing in a measured system so that the reservoir is not unduly drawn down. The south WTP began discharging on March 19th, 2018, which is a slight delay compared to previous years. Chemicals have recently been a little more challenging to acquire, so that has caused a slight delay. Most streets around town have been graveled. PW will be opening up the Park this Friday in order for the Easter Egg Hunt to happen on Saturday. Don and Carol Neddeau, Park Caretakers, are set up in the Park, and have been helping out with mowing, trash, etc. They will officially start their duties in May. PW has marked several plots in the cemetery. It is still very wet for mowing up there just yet. Superintendent Frink talked about planning issues next. He said for some reason contractors seem to have a hard time understanding our rules and standards, and the City seems to get a lot of hassle in this area.

It is important that Council remembers that the City just reviews the submitted plans for City requirements (setbacks, TMDL, utilities, etc.). Linn County is where the permit approval comes from. We seem to get a lot of complaints, but they are mostly generated when the contractors are not following the process. The Public Works Standards that were recently developed and adopted by Council have helped the process tremendously. Mr. McDowell stated that Mr. Frink has been employed by the City for several years, and also serves as the inspector for projects, which saves the City considerable money.

3. **Planning Report.** Administrative Assistant Coleman spoke next commenting on the amount of time that the permitting process requires of Staff. She very much appreciates the fence and accessory structure permit system. The \$30 fee does not necessarily cover staff time cost, but the permit helps in the planning and implementation of the ordinances and with compliance. Coleman tries to set up appointments with folks who are planning projects on their properties to help mitigate problems with the process. It takes an incredible amount of time at this stage. Councilor Gerber thanked Ms. Coleman for her incredible work in this area. Mr. McDowell stated that many times Staff is just shooting at moving targets, and it wastes a lot of staff time. He is asking for Council's support as we continue to journey through this process.
4. **Administrator's Report.** McDowell reminded Council of the online filing for the OGEC. Some folks have completed the process, but there are still others that need to complete it. If you need a link, send McDowell an email and he will provide that for you.

Recently, Mr. McDowell and Ms. Deaver attended the CIS annual conference in Salem. There were several interesting sessions, including one from futurist Steve Brown. McDowell said that it is amazing what is being mined off your electronic devices. For example, Starbucks in Seattle have been using the playlists to increase traffic or entice folks to stay in their establishments. If their shop is busy, they would play music that would encourage folks to move along, if business is slow, they will play more of the customers favorite songs (gathered from their playlists in their devices) to encourage folks to stay longer. Sales have increased over the last two years. Algorithms are being used to track fish chatter, which can warn folks



Council Minutes

of an impending flood. They have put Fitbits on cows to determine cycles and can fairly accurately determine timing to determine the calf's sex. What a fascinating, and yet scary concept!

The Solid Waste Advisory committee will reconvene in May. There is disturbing recycling news out of China. They are changing the requirements for taking American recycling dramatically. Oregon is looking at suspending some recycling laws in order to be able to keep up with the situation. This situation will likely lead to increased rates for folks until the issue resolves, if it resolves. We can also expect changes in what recycling waste haulers will be accepting in the near future.

McDowell reported that Inspections Unlimited has finished their inspections. He anticipates that it will be about 2 weeks before the report is received. Staff will review the report, and then send it back for any final changes before presenting it to Council. Council tentatively agreed that there will be public comment input at the May Council meeting.

The regional policy advocacy piece is moving through the COG. The City website project is continuing to be revamped by Municode. Staff is working on adding The Dyer Partnership Engineers & Planners, Inc. to assist with upcoming public construction projects. The general ledger and utility billing software project is ongoing. The Klinkebiel situation is fluid, still resolving, and the associated legal fees have been forwarded to them.

The situation with CenturyLink and a citizen has resolved itself. A wire was inadvertently hit by the City dump truck while working on the street. The wire was hanging too low, out of compliance, but CenturyLink has restrung the wire and service has been restored to the user.

There is a lot of things going on right now with the policy advocacy piece. Seemingly, Councils, in general, have been lulled to sleep; they have become nothing more than a pin cushion for State and its multiple agencies. It is important to remember that Council is the last line of defense for our taxpayers. The State legislators are throwing issues like affordable housing, TMDL, and homelessness at cities to deal with while continuing to ignore Council authority and Home Rule. These issues will likely heighten over the next few months.

5. **Library Report.** No comments.
6. **Court Report.** No comments.
7. **Council Comments.** Councilor Gerber stated that she would try to make the next traffic meeting, she was out of town this month due to a family issue.
8. **Citizen Comments.**
Katie Cheney, CLRA Basketball Director, was present to recap the season. She said that there are lots of good things happening, with lots of student involvement, and also parent volunteers and 3 student volunteers this season. She has added a co-director for basketball, Katy Kallai. The CLRA website is working well. She is also planning an off-season basketball camp.



Council Minutes

LEGISLATIVE:

A. Resolution 2018.07: Worker's Compensation Declaration. Mayor Don Ware moved to approve R 2018.07. Councilor Block seconded the motion, and the motion passed unanimously.

B. R 2018.08 – Social Media. Councilor Gerber stated that as the world becomes much more global in our reach, we need to be very conscious of what we are putting out on social media. We, as Councilors, are always representatives of our City. We all have our own opinions and beliefs, but we need to hold ourselves to a high standard, and that's what this resolution is about. What and how we communicate reflects back on the City at all times. McDowell reviewed R 718. R 2018.08 modifies that resolution to address and include social media. It is a difficult situation.

Facebook is taking some heat right now due to information posted there that can be construed as slanderous or libelous. This can create a liability for the City. Yes, everyone has a first amendment right, but as Councilors, you also have responsibilities to serve and represent the City at all times. Councilor Block made a motion to approve R 2018.08. Councilor Chambers seconded the motion, and discussion was called for.

Councilor Chambers asked how social media was defined. Twitter, Facebook, Instagram, etc. was the response. Councilor Chambers feels that section 2 is subject to interpretation; she is a big First Amendment person and feels that this is too much. She said that obviously, not everyone is entitled to their opinion. Councilor Gerber responded that yes, it is a right, but as Councilors we must choose to hold ourselves to a higher standard. As a Council member, we signed an oath and agreed to these higher standards. Chambers replied that Mayor Don Ware writes weekly for the local newspaper. Some folks will agree with what he writes, and some will take offense. She stated that he will be in violation of this resolution. Gerber responded that she hoped that Don Ware would not be writing anything racist or demeaning. Councilor Block commented that this situation isn't as easy as passing a resolution. Block continued by asking if this behavior should be considered conduct unbecoming of a Council member? Block reiterated that as City Councilors we need to hold ourselves to a higher standard.

Councilor Chambers stated that she regrets voting for the ethics resolution as it is now being turned on her. She thought it was different than what it has become. Councilor Shepherd commented that he thinks you can say your peace, but say it with class. Everyone can see social media posts, there is no protection. Shepherd said, "If you get sued, you could be required to sign the title to your house over." What we are doing is trying to make sure that doesn't happen. McDowell interjected that this resolution is trying to give guidelines for discretion and doesn't think it is too much to ask. Many cities have stricter policies in place. He thinks we, as a society, are just beginning to take a really hard look at social media/slander, libel etc., and its broader implications as a whole. The discussion is not about whether it is fair or not. He stated that in the



Council Minutes

near future he feels it is likely that CIS will have a requirement for Councilors regarding social media interactions. *A vote was called for with all voting in favor with the exception of Councilor Chambers. The resolution passed 6-1.*

- C. Resolution 2018.09 – Compensatory Time.** McDowell stated that the current model allows no more than 80 hours to be accumulated. The problem with that is that most of the Staff is Type A personality, and several have acquired excess hours. This resolution will allow employees to cash out up to 20 hours twice a year, in April and October. *Councilor Block made a motion to approve R 2018.09. Councilor Shepherd seconded the motion, and it passed unanimously.*

ACTION ITEMS:

1. **Child Abuse Prevention and Awareness Month.** Mayor Don Ware proclaimed April 2018 as Child Abuse Prevention and Awareness month.
2. **TMDL Report Response Letter.** This information can be found in your packet. Mayor Don Ware and Mr. McDowell will write a cover letter. TMDL is extremely costly. Albany's annual permit is \$1.6 million as recently published in the Albany Democrat-Herald. How can small cities afford this? This was a voluntary program at its inception and now it is moving toward mandatory compliance issue and cities are being threatened with fines. McDowell strongly encouraged Council to start writing letters and getting activated around the issue. *Councilor Shepherd made a motion to authorize Mayor Don Ware and Mr. McDowell to write a cover letter and move forth. Councilor Block seconded the motion, and it passed unanimously.*
3. **Historic Review Board Membership.** Don Lyon has expressed interest in serving on the HRB. *Councilor Block made a motion to approve this appointment. Councilor Shepherd seconded the motion, and it was approved unanimously.*
4. **Road Closures.** *Councilor Block made a motion to close Park Avenue from Main to Averill on August 25th, 2018 for a museum function. Councilor Shepherd seconded the motion, and it was approved unanimously. Councilor Block made a motion to close Park Avenue from Main to Averill on May 14th, 2018 for a Napa function. Councilor Shepherd seconded the motion, and it was approved unanimously.*

DISCUSSION ITEMS:

1. **Proposed O 772 – Nuisance Abatements.** Mayor Don Ware read from Steve Van Sandt's submitted letter to Council. Van Sandt would like properties of greater than 1 acre be able to have islands of areas for tall weeds. McDowell gave a quick overview of the entire ordinance. One change is the notification process. Previously the notice was posted and mailed certified to the occupant and/or owner. Most of the postings are for repeated offenders, and they simply refuse to accept the certified mailing. Each mailing costs approximately \$7, and it is just a waste of city



Council Minutes

resources. The new procedure will be to physically post the property and deliver the notice by hand or electronic means when possible. In regard to rubbish and trash, the time frame has changed to abatement within 48 hours. The inoperative vehicles portion has been changed from two vehicles to one. If any of these nuisances are appealed to Council, Council can them grant 48 additional hours for the abatement to be addressed.

Mowing of parcels over an acre was discussed. Currently compliance includes mowing a strip around the property perimeter and around buildings. City Hall gets a lot of kick back with this ordinance due to some not having to comply fairly with reducing fire load as the basis for the ordinance; larger lots with tall weeds and grass will have a much higher fire load than smaller lots. Councilor Shepherd commented that he thinks it is ridiculous for them and their neighbors to allow this fire hazard. Councilor Chambers agrees with Steve Van Sandt that she would like to be able to have islands in the larger lots of grass and weeds. Mayor Don Ware stated that Van Sandt believes this ordinance will reduce the natural fauna and flora. He would like to have an area that bees can reproduce. Councilor Shepherd commented that he thinks there are plenty of areas for the bees. Councilor Neddeau commented that he didn't understand how an open field is a habitat for bees and birds. Councilor Gerber stated that you could create a natural habitat within this ordinance. Councilor Shepherd reminded Council that last time this was talked about Council spent 3 years on it! He believes a couple mowings a year will greatly reduce the fire hazard, and it would keep the briars and weeds down to a minimum. Councilor Neddeau stated that he sees a huge difference between a small residential lot with flowers and trees versus an open field of dry grass that can be over an acre. Councilor Gerber commented that it sounds like Council consensus is that most of the ordinance looks good, with some disagreement on section d. Perhaps McDowell could bring back some additional language in regard to that section next month for Council discussion.

2. **Proposed O 773 – Attractants.** Councilor Gerber stated that she liked the look of it, and that Council would be ready for the first reading next month. No other comments.
3. **Proposed O 774 – Noise.** McDowell stated that McFarland Cascade recently installed extra sound barrier devices to mitigate noise affecting the City. At the time, there were no ordinances requiring them to comply or to take these extra measures. This new ordinance will help Staff and the Planning Commission by creating some guidelines and parameters for noise issues. With no objections from Council, this ordinance will have its first reading next month.
4. **Proposed O 775 – Animals.** Councilor Gerber stated that she thought it sounds reasonable not to have animals on such small lots. Councilor Shepherd asked why sheep and bees are exempt? Many folks are highly allergic to bees. McDowell responded that this language allows for review of proposed animals, and that many lots are fairly large, and rural, and if a certain distance was maintained, could easily



Council Minutes

contain certain animals on their property. Council consensus is that the ordinance looks good and would be ready for the first reading next month.

5. **NIMS & General Communications.** McDowell is recommending that Council complete some of the National Incident Management System (NIMS) online for use in future natural disasters and emergencies; specifically, NIMS 100 & 200 dealing primarily with communication. During a disaster event, Staff will be under a tremendous work burden. He is just suggesting it as something for Council to consider. McDowell will resend out a link for Council to look at. The training is all online.
6. **February Financials.** No comments.

Citizen Comments. No comments.

Council Comments. Councilor Chambers asked if it was true that the Blakely Street school property had been sold? McDowell responded that we have had no official word from the CLSD on the subject.

ADJOURNMENT: *Councilor Block moved to adjourn at 8:29 p.m. Mayor Don Ware seconded the motion, and it passed unanimously.*

S. Scott McDowell
City Administrator

Don Ware
Mayor



City Administrator Report

April 24th, 2018

From: S. Scott McDowell
To: Mayor & Council
Re: General Business

Budget meetings are scheduled for April 26th, May 3rd and May 10th.
 All meeting will be held at 7:00 p.m. in Council Chambers.

One liner of the month

You can't tell which way the train went by looking at the tracks.



Note: The first section of this report is important because it provides information and a brief overview of the topics to be discussed the night of Council. If an item title is **highlighted in green**, that indicates the item is part of Council Goals which are on the Council room wall or in the budget. When you see this symbol, ☒, it means I will provide more information at the meeting.

"Trust me, I'm an actor!"

~ *Enterprise Rental Car Commercial*

"They can because they think they can."

~ *Virgil*

I saw this bumper sticker on the back of a Toyota Prius in Newport: "Cool Prius!"

~ *Nobody Ever*



AGENDA ITEMS DISCUSSION – The following items follow the order of the Agenda

6) PUBLIC HEARINGS OR PRESENTATIONS:

- A. **Recycling Update: Sweet Home Sanitation** – Scott Gagner will discuss the implications of new waste requirements enacted by China and what possible changes customers can expect to see.



9) LEGISLATIVE:

- A. **Resolution 2018.10: Verification of Services (SRS)** – Annually, Council passes this resolution to be eligible to receive State Revenue Sharing.

What is Council being asked to do?

Pass the resolution.

- B. **Ordinance 772: Nuisance Abatement (First Reading)** – I have provided options as requested by Council last month. This ordinance modifies time frames and makes key changes for better enforcement. Council may amend, edit, delete any of the proposed language.



City Administrator Report

- C. **Ordinance 773: Attractant (First Reading)** – Implements guidelines for attractants and provides Staff with a tool to address potential problems with wildlife. Council may amend, edit, delete any of the proposed language.
- D. **Ordinance 774: Noise (First Reading)** – Implements basic guidelines for noise pollution in and around certain zoning districts. Council may amend, edit, delete any of the proposed language.
- E. **Ordinance 775: Animals (First Reading)** – Implements and omits certain animals from being allowed in city limits. Council may amend, edit, delete any of the proposed language.



10) ACTION ITEMS:

- A. **Older Americans Month Proclamation** – Annually, Mayor Ware and Council declare the proclamation as included in the agenda packet.
- B. **Mental Health Month Proclamation** – Annually, Mayor Ware and Council declare the proclamation as included in the agenda packet.
- C. **Appoint Board & Commission Members** – Sandy Saltzer and Linda McCormick have applied to serve of the Library Advisory Board due to recent resignations. Kaye Fox has applied to serve on the Planning Commission. Council should consider appointing them to the Board.
- D. **OLCC Renewals** – Council is asked annually to comment on the liquor licenses that are operational in Brownsville. Each year Council requests Staff to forward a letter, though a letter is not required.



What is Council being asked to do?

Council may make comments or suggestions as they see fit.

- E. **OSU Internship Program** – The City may have a unique opportunity to use an intern for the next few months to assist with some specific projects.

What is Council being asked to do?

Approve the OSU program and appoint a member to be involved in the interview process. Authorize the Mayor and the Administrator to execute necessary documents pending a complete review.

11) DISCUSSION ITEMS:

- A. **Proposed Marijuana Language & Options** – Enclosed in the packet is an update for possible next steps. The document is at the end of the City Administrator Report and it explains where Council left off and some of the challenges moving forward. The information also corresponds to information below. *[Linn County Commissioner & Buffer Zone]*
- B. **March Financials**



City Administrator Report

NEW INFORMATION – Notable situations that have developed after the last Council meeting

- ▶ *A local graduate student, Crystal Garcia, is interested in a possible internship with the City through Oregon State University.*
- ▶ *The residents of 382 Kirk Avenue have moved from the property. The bank that owns the property is in the process of removing the final person from the property and are preparing for a full-scale clean-up of the property.*
- ▶ *Been busy working on the budget.*
- ▶ *Administrative Assistant Tammi Morrow finished the Spring newsletter.*
- ▶ *Thank you for doing your part for the OGEC process!*
- ▶ *I have attended three Cascade West Council of Governments meetings that I will report on Tuesday night.*
- ▶ *Administrative Assistant Jannea Deaver and I recorded the payment notice for 410 Faust. One of the SDC agreements Council worked on five years ago paid off the final amount.*
- ▶ *Signed a contract with the help of Public Works Superintendent Karl Frink for fencing repairs in Pioneer Park to the baseball field and the infiltration gallery.*
- ▶ *Public Works Superintendent Karl Frink are working on street paving and replacing the bridge leading to the cemetery.*
- ▶ *I spoke with Wendy Molk, Linn County Museum, about the living history program this Summer. The City will allow camping in Pioneer Park for a few exhibitors.*
- ▶ *Ram Trucking donated some very nice cubicles to the City.*



HAPPENINGS

Linn County Commissioners & Buffer Zone – [See document at the end of the City Administrator Report for the most current information.]

From 03.27.2018: Mayor Ware and I visited with Linn County Commissioner, Board Chair, Roger Nyquist at the direction of Council to determine what the City's options are regarding the buffer zone request. Linn County Building & Planning Director Robert Wheeldon also attended the meeting. Basically, Linn County took the opportunity to review and consider the buffer zone concept as proposed by Council Resolution 2017.18. Commissioner Nyquist indicated that the buffer zone concept is not a viable option according to legal advice received by the Commissioners. The State Legislature allowed and required marijuana uses in EFU (Exclusive Farm Use) land which legally binds the County. They both indicated the State of Oregon has pre-empted efforts to properly regulate marijuana primarily due to this EFU requirement.



Commissioner Nyquist said that the County would consider pursuing an exemption if the City could show that the Urban Growth Boundary (UGB) was expanding. Mayor Ware shared that the City is in the process of looking at the UGB and land inventory right now. Administrative Assistant Elizabeth



City Administrator Report

Coleman and I have talked with Planning Consultant Dave Kinney about providing the City with a proposed UGB expansion to the south for future housing. As explained at the last Council meeting, south Brownsville is the most logical, compatible and available land for future residential growth. Placing a light industrial application in the middle of a residential area is in direct conflict with the State's Land Use Compatibility Statement (LUCS) as required by State Law.

What is Council being asked to do?

Make a motion to proceed with supplying a map that shows the City's intent to expand the UGB to the Linn County Commissioners Office and authorize the a Council Representative and the City Administrator to ensure this task is completed as soon as possible.

From 02.27.2018: Linn County Building Department recently forwarded a letter letting the City know that the application filed on the Raschien property had been rescinded. Council should consider moving forward with the request for a buffer zone regardless of this outcome. Placing a light industrial application in a future residential zone is not conducive to land use compatibility.

What is Council being asked to do?

Follow up with the Commissioner's Office to determine best approach to advocate for a buffer zone to be considered by Linn County.

From 02.27.2018: Upon discussing the proposed changes to this ordinance with City Attorney Ross Williamson, we agree that to make the best solution for this situation is a two-fold effort: 1) a nuisance ordinance, and 2) a land use ordinance. The City has multiple challenges when attempted to address marijuana related issues. Can the City limit the number of plants per residence versus per resident? Requiring elements such as setbacks, accessory structures and creating additional, associated requirements call for land use ordinance. A land use ordinance of this nature must follow the rules instituted by Measure 56. Administrative Assistant Elizabeth Coleman and I spoke with Planning Consultant Dave Kinney to outline the process involved with the Measure 56 process:



- ▶ Notice must be filed with the DLCD 35 days prior to any suggested changes.
- ▶ All owners and occupants must be notified.
- ▶ The City can use the Linn County Assessor's Office and Utility Billing records to mail notices.
- ▶ The City has to notice both the Planning Commission and a City Council meeting in the same notice or have to repost.

The City should have thirty days between the Planning Commission and Council meeting in case there are changes to the proposed language of the ordinance. Some of the elements the City would like to consider are, 1) limiting the number of plants per residence, 2) require setbacks, 3) develop regulations for marijuana cultivation in an accessory structure, 4) create a scalable system to allow more plants to be cultivated depending on lot size.

The City may also consider adopting rules about the other uses that are allowed within the Volume Commercial and Light Industrial zones in the Brownsville Municipal Code. Chapter 15.111.020 allows processors, retailers, wholesalers and medical marijuana facilities. Linn County has a relatively robust set of regulations for these applications that the Council may want to consider adopting. The only way to do that is to go through this Measure 56 process.

Linn County Sheriff's Office Contract – Below is a table showing the Sheriff's Office activity over the last six months:



City Administrator Report

LCSO Month-to-Month Comparison

| Year | Month | Traffic Citations | Traffic Warnings | Total Hours |
|------|----------|-------------------|------------------|-------------|
| 2018 | March | 19 | 36 | 208.5 |
| 2018 | February | 5 | 14 | 201 |
| 2018 | January | 23 | 29 | 220 |
| 2017 | December | 11 | 15 | 214 |
| 2017 | November | 12 | 24 | 206 |
| 2017 | October | 11 | 18 | 238 |

Goals Review (Council Goals) – Council met to successfully discuss a plan to achieve several of the remaining goals by the end of 2018. Council also discussed meeting conduct and discussed improvements that will improve meeting efficiency and handling interactions the public in general. The use of social media was discussed at length as well.

OGEC Process – Please remember to file with OGEC before April 15th, 2018. Please see me if you have any questions or need assistance in any way.

Chamber of Commerce ☒ – I will provide an oral report for Council Tuesday evening.

From 02.27.2018: Co-President Dave Furtwangler inquired as to the use of Transient Room Tax dollars. I explained that the last few years the fund is able to be dispersed every year. The Chamber would like to use these funds to supplement personnel who carry out marketing functions on behalf of the Chamber. There are certain nuances that could impact the health of the fund that are difficult to predict. The County Music Festival brings folks to town and after this Summer that business will be lost.



Dave Brown

Solid Waste Advisory Committee (SWAC) Meeting – **From 03.27.2018:** I will provide an oral report on the meeting outcome. The China restrictions on recycling are causing financial concerns for haulers and will change the way items are recycled. The SWAC's next meeting will be at the end of May.

Water Violation Notice Issues ☒ – The City has, as expected, taken several concerned calls from customers. Fortunately, all calls have resolved well once the facts of the full situation are explained.

Budget Season – I will be sparsely available for the next few weeks due to putting the budget together. Please call ahead when you can and set up an appointment. I will do my best to address everything, but it does get a bit challenging this time of year.

STATUS UPDATES – Projects, proposals and actions taken by Council

Complete: Klinkebiel Agreement – Every detail has been completed and the document has been officially recorded at the Linn County Courthouse.

Pending: Canal Company Solvency ☒ – **From 02.27.2018:** The letter was forwarded to Mr. Holbrook. I have included it in the agenda packet for your information.



From 02.27.2018: Last year all officers except for President John Holbrook resigned from the Canal Company Board. Council must determine if the pumps will be operated this year. Staff will discuss



City Administrator Report

details at the meeting. Basically, the Company would have to show that it is in proper standing to operate as an entity and have insurance in order for the City to operate the pumps.

Active: Land Inventory – **From 01.23.2018:** Administrative Assistant Elizabeth Coleman and I met with Dave Kinney to begin the process of preparing a land use inventory study as approved in this year's budget. Mr. Kinney will begin talks with Linn County GIS as they will play a key role in analyzing and compiling data. Council must be ready to make some future decisions that could cause community controversy. Once some of the initial data is compiled, we will have Mr. Kinney present the information to Council to determine course of action. I have included the current zoning map. The City is practically out of volume commercial and light industrial land. Staff feels that the State will allow the City to add these areas. Staff will also analyze the housing needs. The concern with housing, as previously discussed with Council, the City has many areas that are designated, but providing necessary utilities will be challenging and in some areas not financially feasible. The other issue with housing is the amount of open farm land around residential zones. Basically, the City seems to have ample land for housing developments on paper.

Mr. Kinney indicated that this entire process from start to finish will take about a year and half. Council will have several decisions to make along the way.

Discussing this issue with Staff, it became very clear that the south side of Brownsville is the most likely area for future housing development which highlights the concern over the proposed marijuana operation along Gap Road.

Active: Internet System Development – Alyrica President Kevin Sullivan is slated to attend the May Council meeting. Staff will be working with Alyrica to develop a franchise agreement. Alyrica is currently working on designing a fiber optic system for Brownsville. Mr. Sullivan reported that they would need about a 50% market saturation for the project to work. Mr. Sullivan also shared some other options for business that need faster service right now. Interested parties can contact Alyrica to explore those options.

Active: Utility & General Ledger Software – Council authorized Staff to move forward with a contract with Harris Computer Systems at the last meeting.

Active: Website Update – The City has hired Municode to assist with creating a new website. The new website will take about three months to launch. Administrative Assistant Elizabeth Coleman and I continue to work on revisions and content.

Complete: Spring Newsletter – The newsletter was mailed out April 5th, 2018. Thanks to all of you who submitted an article and a huge thanks to Administrative Assistant Tammi Morrow for putting it all together!



Cascade West Council of Governments Regional Policy Efforts ☒ – The Board is actively moving forward working on proposals and options for policy change.

From 02.27.2018: Below are initial concepts for the regional legislative approach:

1. Address Administrative ODOT Issues
2. Housing Affordability & Availability
3. Wetlands
4. Adverse Cost Impacts to Local Governments caused by the State Legislation



City Administrator Report

5. Disaster Resiliency Funding
6. Land Use Planning Reform

From 01.24.2018: The Cascade West Council of Governments Board gave unanimous approval for Executive Director Fred Abousleman to move forward with the development of policy advocacy, legislature members convening and better coordination with the League of Oregon Cities (LOC) and the Association of Oregon Counties (AOC) for the legislative session. To that end, I have travelled to Depoe Bay to talk with the coastal managers and the Cascade West Council of Governments hosted a gathering in Philomath to set direction and policy objectives.

Active: Go Team Next Steps ☒ – I have met with several Linn County cities who are ready to move forward with a collective economic development proposal. A meeting will be scheduled soon with the Cascade West Council of Governments for discussion. Brian Latta, Harrisburg City Manager, and I recently met with Melissa Murphy from Biz Oregon to discuss the regional approach cities are taking to accomplish specific economic development goals.

From 01.27.2018: Several cities are developing an executable checklist to be collectively active on economic development opportunities. This effort is based on the Go Team RLED effort. I will have an oral report for Council. Council authorized \$500 toward a regional study being completed by EcoNorthwest at the last regular session Council meeting.

From 09.26.2017: I attended a regional economic development discussion at LBCC with Go Team members Joann McQueary and John Morrison. Corvallis, Albany, Linn County, Oregon State University, Linn-Benton Community College, the Cascades West Council of Governments and the State of Oregon were all represented at the meeting. The Go Team recently met to talk about outcomes of this larger, regional approach.

See past reports for historical information.

Active: Emergency Preparedness Committee (EPC) Meeting Update – The Committee continues to work on necessary goals and opportunities. Representatives will be on hand for the April Council meeting.

Active: Water Rights & Jon Erwin – **From 02.27.2018:** The Oregon Water Resources Department (OWRD) has issued a few letters to the City recently that City Engineer Jon Erwin, Public Works Superintendent Karl Frink and I have reviewed. The City recently removed the hold we placed on one permit concerned the water curtailment issue. It appears that the State will continue that particular water right at the current rate which is vital for the City's water needs.

Active: Future Capital Improvements Planning ☒ – I will have an report for Council Tuesday evenings.

From 03.27.2018: Inspections Unlimited has finished their inspection of the properties are in the process of writing the report. Council should plan for a May Town Hall meeting for the initial discussion with community partners.

Pending: Central Linn Recreation Association – **From 01.23.2018:** I met with President Blaine Cheney to discuss the future of Pioneer Park and the Rec Center. I explained that Council has entered into a contract with a company to provide an in-depth review of all the above mentioned properties. Council would then invite all community partners who regularly utilize the facilities to engage in a dialogue about the future of those facilities. Mr. Cheney shared some very good ideas and



City Administrator Report

supports the City's efforts to be ahead of these concerns. The City will forward a copy of the report once it is completed. Council set a meeting to be announced in March pending the completion of the report.

Active: Vintage Trailers Event – Mr. Long continues work on the 'Rally by the River.'

Active: Development Properties – Dollar General is open! Many other projects are being pursued and are currently in process.

Completed: Sweet Home Sanitation Extra Clean-Up Day – From 01.23.2018: The actual cost of the clean-up operation is \$30,000 for the day. If the City would like to pursue an additional clean-up day, it would mean a 15% rate hike to customers. I would like to briefly discuss this at the meeting.



ITEMS PENDING – Tabled, On Hold, Stalled or Waiting

Stalled/Pending: Weeds & Nuisance Abatement Program ☒ – Council made progress on this topic at the recent Goal Setting Review Session. News at 382 Kirk Avenue has several neighbors concerned about the future for that property. The City is working on the process closely.

Pending: Telecommunications Franchise – Staff is waiting for an initial draft from Alyrica for fiber optic internet for Brownsville.

From 02.28.2017: I have contacted City Attorney Ross Williamson to begin planning for the renegotiation of this important franchise. The current agreement is set to expire in September 2017.

Pending: Coleman & Kinney – From 2016: FEMA Implications regarding insurance and flood impact technical reviews.

PAST MEETINGS – Memory Information

WNHS Update – Homeowners: You may be eligible for a no-payment 0% interest loan for home repairs. If your income is low or moderate, you have equity in your home and need home repairs, please contact Willamette Neighborhood Housing Services at 541-752-7220 ext. 300.

Willamette Neighborhood Housing Services will be embarking on a merger. I have included the e-mail in your materials for your review.

Please refer citizens to the following websites for more information:

<http://www.oregonhomeownersupport.gov> & <http://w-nhs.org>

WNHS provides many home rehabilitation services and counseling for those meeting certain program requirements.

Completed: Linn County Transportation System Plan – **From 07.25.2017:** Councilor Gerber and I attended a public meeting regarding the Linn County Transportation System Plan (TSP)...



City Administrator Report

Basically, the County has categorized projects into seven general categories: 1) Walking & Biking, 2) Bridges, 3) Corridor Improvements, 4) Rural Modernization, 5) Spot Improvements, 6) Future Sites, & 7) Systemic Safety Improvements. The County has criteria for improvements to assist in ranking priorities. Factors include use, safety, traffic fatalities, and overall impact to name a few.

In short, Kirk Avenue will only have a chance to be funded if the City and the residents decide to improve the street through the LID process or other funding mechanism **perhaps** in partnership with Linn County. Kirk Avenue is not a priority for Linn County transportation based on the developed criteria.

➤ **For the history of the Kirk Avenue project, please refer to the *City Administrator Report* found in Council records from April 2016 and prior.**

Moody Court & Unenumerated Nuisance – The cat numbers have increased. The neighbor to the east is now starting to collect cats. Staff is watching the numbers.

From 11.25.2014: The City has paid out \$2,875 to have cats removed from the neighborhood...

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "SM".

S. Scott McDowell



Public Works Report

April 18th, 2018

Karl Frink, Public Works Superintendent

Water:

- *Billing Support*- Follow through on customer service support and requests.
- *Meter reading* – Water meters have been read for the month of April.
- *Distribution System* – No water leaks this month. One water meter was replaced. We are currently engineering new water lines for Robe Street.
- *Cross Connection Program*- Public Works is currently updating our records and preparing for the annual backflow testing.
- *Water Treatment Plant* –The broken turbidity controller has been repaired and reinstalled. Everything is operating correctly.
- *Misc.* – Public Works will continue flushing fire hydrants as time allows. Our annual water report was distributed with the City Newsletter again this year. This annual report is a requirement of the Oregon Health Authority to be distributed to all water users of this system.

Sewer:

- *North Lagoons* – Discharge from this facility began April 9th, we anticipate completing the discharge on April 24th. Currently we have safely discharged 8.393 million gallons to the Calapooia River.
- *South Lagoons*- Discharge to the Calapooia River began Monday, March 19th and finished April 6th. A total of 20.368 million gallons was safely discharged to the Calapooia River.
- *Collection System*- Nothing to report this month.
- *Misc.* – Nothing additional to report.

Streets:

- *Mowing/Tree Maintenance* –Public Works continues to trim branches as needed.
- *Asphalt/ Gravel Road Maintenance* –Public Works is currently working on street rehabilitation projects for this year.
- *Storm Drainage* – Nothing to report this month.
- *Misc.* – Street sign work continues as time allows. Many new locations require locates to be called in before we can bore holes to place sign posts. We are currently working on replacing the existing bridge on the road to the cemetery. The current bridge is an un-engineered wood structure that has no weight capacity rating. The bridge is aged, signs of rot are appearing.

Parks:

- *Pioneer Park* – Pioneer Park was opened to the public on March 30th. Several park benches and bleachers had damaged or rotted boards and have been rebuilt as needed. We will be painting the boards as soon as weather allows.
- *Blakely Park* – This park has been cleaned up and mowed.
- *Kirk's Ferry Park* – This park has been cleaned up, mowed.
- *Remington Park* –This park has been cleaned and mowed.

Cemetery:

- *Grounds* – Several plots have been marked this month. Public Works will begin cleaning up and mowing the cemetery on April 23rd.

Library:

- *Grounds*- This facility has been mowed as needed.
- *Buildings*- Nothing to report this month.

Downtown

- *Restrooms* – This facility is cleaned every Friday, or more often needed.
- *Garbage cans* – Down town garbage cans are emptied every Friday, or more frequently as noticed.
- *Parking Lot* – Nothing to report this month.
- *Misc.* – Nothing to report this month.

City Hall:

- *Buildings*- Nothing to report this month.
- *Grounds* –The grass is mowed and maintained weekly, or as needed.
- *Community Center*- One closet door latch has been repaired.

Rec. Center:

- *Grounds*- The grass is mowed weekly or as needed.
- *Buildings*- Nothing to report from this facility this month.

Public Works:

- *Grounds*- The grass is mowed weekly.
- *Buildings*- Cleaning and organizing continues as time allows.
- *Misc.* – Preventative maintenance is being performed on all the vehicles and equipment. All of the equipment at public works has been repaired and ready for use.
- *Backhoe*- A quick change bucket attachment has been ordered for the backhoe to ease the process of changing backhoe buckets. The current method of changing buckets is difficult to align the pins and is very time consuming. The new quick change will minimize the potential for any employee getting hurt while changing the buckets.
- A new posthole auger has been ordered to facilitate boring holes for street sign posts, fence posts and other miscellaneous tasks performed by public works.

K7 



PLANNING AT A GLANCE

Permits *Building, Plumbing, Mechanical, Fence, Etc.*

- | | |
|---|--------------------|
| • Mechanical (Ductless Heat Pump) | 1170 Linn Way |
| • Structural (24 X 32 Pole Building) | 521 Calapooia Ave. |
| • Mechanical (Ductless Heat Pump 2) | 1170 Linn Way |
| • Structural (Foundation & Underpinning) | 531 Spaulding Ave. |
| • Mechanical (Bath Fan) | 622 Robe St. |
| • Mechanical (Bath Fan) | 704 Oak St. |
| • Accessory Structure (Chicken Coop) | 217 Kirk Ave. |
| • Construction (24 X 32 Pole Building (City)) | 521 Calapooia |
| • Fence | 404 French St. |

Land Use Applications/Updates

- Property Line Adjustment (234 Holloway Heights)

Staff is currently reviewing an application for a property line adjustment to increase the parcel size of tax lot 2202 and decrease the parcel size of 2200 on Holloway Heights (234 Holloway Heights). Driveway access/maintenance, & the location of utilities are to be reviewed by Public Works, Planning & Administration. Holloway Heights is located in the Special Development Zone and is subject to both stringent and alternative requirements due to the topography of the area.

Staff received final engineering plans for Phase 1 from Progressive Design Builders. Administration, Public Works, Planning/Planning Consultant & City Engineer will review those plans prior to Planning Commission review.

The Glorietta Bay/Lepman Mini Storage facility project has been approved, sewer is installed, but the City has not been made aware of the construction timeline.

Staff has met with three new property owners (potentially four) on Northpoint Loop & School Avenue lots. Good news.

Elizabeth E. Copman

"There is some good in the worst of us and some evil in the best of us. When we discover this, we are less prone to hate our enemies." - Martin Luther King, Jr.



LINN COUNTY SHERIFF'S OFFICE

Bruce W. Riley, Sheriff
 1115 S.E. Jackson Street
 Albany, OR 97322
 Phone: 541-967-3950
 www.linnsheriff.org

2018

MONTHLY REPORT TO THE CITY OF BROWNSVILLE FROM THE LINN COUNTY SHERIFF'S OFFICE

FOR THE MONTH OF:

March

| | |
|---|-----------|
| TRAFFIC CITATIONS: ----- | 19 |
| TRAFFIC WARNINGS: ----- | 36 |
| TRAFFIC CRASHES: ----- | 1 |
| ADULTS CITED / VIOLATIONS: ----- | 0 |
| ADULTS ARRESTED: ----- | 2 |
| JUVENILES CITED / VIOLATIONS: ----- | 0 |
| JUVENILES ARRESTED: ----- | 0 |
| COMPLAINTS/INCIDENTS INVESTIGATED: ----- | 97 |
| TRAFFIC HOURS----- | 58 |
| ADMINISTRATION HOURS----- | 6 |

TOTAL HOURS SPENT IN: BROWNSVILLE 208.5

CONTRACT HOURS= 200 HOURS

**Bruce W. Riley,
 Sheriff, Linn County**

By: Sergeant Greg Klein

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR MARCH 2018**

| Offense Class | Pending First Day | Filed | Closed | Pending Last Day | Trials |
|----------------|----------------------|-----------|----------|---------------------|--------|
| Misdemeanors | 36 | 6 | 1 | 41 | |
| Violations | 55 | 3 | 6 | 52 | |
| Contempt/Other | 41 | 8 | 2 | 47 | |
| TOTALS | 132 | 17 | 9 | 140 | |

BALANCE SHEET FOR THE MONTH

Court Revenue

Court Payments

| | | | |
|------------------------|-------------|---------------------|-----------|
| Total Deposits + | \$ 1,190.50 | City | \$ 913.70 |
| Total Bail Released + | \$ - | Restitution | \$ 40.00 |
| Total Bail/Bank Fees - | \$ - | Oregon Dept Revenue | \$ 190.52 |
| Total Bail Held - | \$ - | Linn County | \$ 46.28 |
| * Total Refund/Rest - | \$ - | State Misc. | \$ - |
| Total NSF's - | \$ - | DUII Surcharge | \$ - |

| | | | |
|----------------------------|--------------------|-----------------------------|--------------------|
| TOTAL COURT REVENUE | \$ 1,190.50 | TOTAL COURT PAYMENTS | \$ 1,190.50 |
|----------------------------|--------------------|-----------------------------|--------------------|

Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

TOTAL NON-REVENUE CREDIT ALLOWED \$ -

TOTAL CASH PAYMENTS TO:

| | |
|---------------------|--------------------|
| CITY | \$ 913.70 |
| STATE | \$ 190.52 |
| COUNTY | \$ 46.28 |
| *REFUND/RESTITUTION | \$ 40.00 |
| TOTAL: | \$ 1,190.50 |



Library Advisory Board

Librarian's Report

March 2018

Here are a few facts about our library the month of March 2018. We have received 31 new books for the library. Volunteers donated 190.5 hours to our library. There were 1,450 materials checked out. 400 adult fiction books; 136 adult non-fiction books; 147 audio books; 429 children's books; 222 junior books; 41 junior reference books and 75 large print books.

The LEGO display was such fun in March. We had numerous entries as children and families brought in their creations from home. As patrons brought their children to the Library on Thursdays the children made more creations with the Library LEGOs to be displayed.

It was with sadness that I accepted the resignation of Mrs. Joey Running from the Library Advisory Board. During her time, she has served as Chairperson and regular member. She started the LAB in undertaking volunteer appreciation activities. I will miss her input and stable presence.

Local photographer and world traveler Don Lyon finished up his six sessions of World Cultures & Travel with Creative Travel Photography. Local resident Barbara Andersen is continuing this great series with Bulgarian Treasures on Thursday, April 19 at 7 pm in the Kirk Room.

Respectfully submitted,

A handwritten signature in blue ink that reads "Sherri Lemhouse".

Sherri Lemhouse
Librarian



RESOLUTION NO. 2018.10

**A RESOLUTION VERIFYING SERVICES PROVIDED BY THE
CITY OF BROWNSVILLE IN ACCORDANCE WITH THE
DEPARTMENT OF ADMINISTRATIVE SERVICES
REQUIREMENTS FOR STATE-SHARED REVENUES**

WHEREAS, Oregon Revised Statutes (ORS) 221.760 provides as follows:

Section 1. The office responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

- (1) Police Protection
- (2) Fire Protection
- (3) Street Construction, Maintenance and Lighting
- (4) Sanitary Sewer
- (5) Storm Sewers
- (6) Planning, Zoning, and Subdivision Control
- (7) One or more utility services and;

WHEREAS, City officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE, a Municipal Corporation of the State of Oregon, hereby certifies that it provides the following municipal services enumerated in Section 1, ORS 221.760:

- Police Protection,
- Street construction, maintenance and lighting,
- Sanitary Sewer,
- Storm Sewers,
- Planning, zoning, and subdivision control,
- Water Utility,
- Library Services,
- Municipal Court and
- Parks;

PASSED AND ADOPTED by the Council of the City of Brownsville this 24th day of April, 2018.

Attest:

S. Scott McDowell
City Administrator/Recorder

Don Ware
Mayor



ORDINANCE NO. 772

AN ORDINANCE AMENDING TITLE 8 OF THE BROWNSVILLE MUNICIPAL CODE, CHAPTER 8, SECTIONS 8.30.020 (Animals), 8.30.060 (Noxious Vegetation), 8.30.070 (Scattering Rubbish), 8.30.120 (Junk), 8.30.130 (Discarded Vehicles), 8.30.150 (Abatement Procedure), 8.30.160 (Abatement by the Person Responsible), 8.30.180 (Abatement by City), 8.30.190 (Assessment of Costs), 8.30.200 (Summary Abatement), & 8.30.220 (Separate Violations)

WHEREAS, Council recognizes a need to adopt rules and regulations for the peace, safety, health and welfare of citizens, and;

WHEREAS, Title 8 of the Brownsville Municipal Code (BMC), Chapter 8.30 contains the language and laws that generally govern nuisances, and;

WHEREAS, the Brownsville City Council desires to amend the Brownsville Municipal Code to include recommended language and to better define the law, and;

NOW THEREFORE, the Brownsville City Council ordains as follows:

8.30 Nuisances

PROPOSED LANGUAGE:

8.30.020 Animals – Removal of carcasses.

No person shall permit an animal carcass owned or controlled by him to remain upon public property, or to be exposed on private property, for a period of time longer than forty-eight (48) hours to remove or dispose of the carcass once reported to the City. [Ord. 772, 2017, Ord. 588 § 2, 1989; 1981 Compilation § 4-5.2.]

Notice. City shall personally serve the occupant of the property or physically post the property with a written notice. The City may also contact all responsible parties by phone or other electronic means.

8.30.060 Noxious vegetation.

A. The term “noxious vegetation” does not include vegetation that constitutes an agricultural crop, unless that vegetation is a health hazard or a fire or traffic hazard within the meaning of subsection (B) of this section.

B. The term “noxious vegetation” does include:

1. Weeds more than 12 inches high.
2. Grass more than 12 inches high.



- 3. Poison oak.
- 4. Blackberry bushes that extend into a public thoroughfare or across a property line, without the approval of the adjacent land owner.
- 5. Vegetation that is:
 - a. A health hazard.
 - b. A fire hazard because it is near other combustibles.
 - c. A traffic hazard because it impairs the view of a public thoroughfare or otherwise makes use of the thoroughfare hazardous.

C. Between June 1st and September 30th of any year, no owner or persons in charge of real property shall cause or allow to remain standing on the property noxious vegetation anywhere within the City limits.

D. Lots and parcels more than one acre shall also be required to maintain property in the same manner as smaller parcels.

{ The City's current ordinance reads as follows: }

D. Lots and parcels more than one acre shall maintain the property around buildings and roadways as follows:

- 1. Within 30 feet of any building or accessory structure.
- 2. Within 20 feet of any roadway, walkway or property line.

{ }

E. Owners and persons in charge of real property more than one acre shall have the option of baling the material from their land. Hay must be baled and removed no later than the last day of July. [Ord. 772, 2017, Ord. 741, 2013; Ord. 718, 2009; Ord. 589 § 1, 1989; Ord. 588 § 17, 1989; 1981 Compilation § 4-5.17.]

8.30.070 Scattering rubbish.

No person shall deposit upon public or private property any kind of rubbish, trash, debris, refuse or any substance that would mar the appearance, create a stench or fire hazard, detract from the cleanliness or safety of the property or would be likely to injure a person, animal or vehicle traveling upon a public way. [Ord. 588 § 18, 1989; 1981 Compilation § 4-5.18.]

Notice. City shall personally serve the occupant of the property or physically post the property with a written notice. Written notice will require removal within forty-eight (48) hours. The City may also contact all responsible parties by phone or other electronic means.

8.30.120 Nuisances affecting public peace – Junk.

A. At a residence, no person shall store parts of vehicles, machinery or equipment; buckets, cans or bottles; household furniture and household furnishings manufactured, built or designed for inside use (out of the elements) and other personal property manufactured, built



or designed for inside use or interior use (out of the elements); and personal property that is manufactured, built or designed for attachment to a structure as shutters, doors and windows, in front or street side yards at all, or interior side yards if a backyard is available for storage. "Yard," for this subsection, shall include driveway.

B. At a residence, no person shall store an appliance (operable or inoperable) or plumbing fixture in view of a public street.

C. At a residence, no person shall leave a burn barrel exposed to public view in the front yard.

D. At a residence, no person shall store lumber, plywood or building materials in view of a public street unless each type of item is stacked neatly.

E. At a residence, no person shall leave oil, fuel, chemical barrels or similar containers exposed to public view from a public street for a period in excess of three days. This section does not prohibit barrels, containers or tanks attached to a residential unit and used as a reservoir for oil or fuel.

F. At a residence, no person shall leave accumulations of limbs, branches and/or brush on property for longer than one month that can be seen from the public street.

G. Using tarps or other materials to hide items listed above from public view shall only be permitted for a two week period or during a permitted garage sale on the premises.

H. Within 30 days of cleanup day, no person shall place items for pickup to the curbside or store items outdoors until seven days prior to the scheduled cleanup day. Items left at the curbside or on a property seven days after cleanup day may also be cited for immediate removal. If the City Administrator or designee notices a violation exists, he or she may post an abatement letter or hand-deliver a notice to the property owner. The property owner shall have twenty-four (24) hours to remove the materials. [Ord. 731 § 2, 2011; Ord. 725 § 1, 2010; Ord. 588 § 32, 1989; 1981 Compilation § 4-5.32.]

8.30.130 Discarded vehicles.

A. Definitions.

1. "Discarded vehicle" means any vehicle that does not have lawfully affixed thereto an unexpired license plate or is in one or more of the following conditions:

- a. Wrecked;
- b. Dismantled;
- c. Partially dismantled;
- d. Abandoned; or
- e. Junked.

A discarded vehicle includes major parts thereof, including, but not limited to, bodies, engines, transmissions and rear ends.



2. “Inoperative vehicle” means any vehicle which is incapable of being driven or operated in the manner in which it is intended to be used, but which is not a discarded vehicle as defined herein.

B. Discarded Vehicles Prohibited. It shall be unlawful to park, store or leave, or permit the parking or storing of any discarded vehicle upon any public or private property within the City, unless it is located where it is not visible from outside the owner’s property, or unless it is in connection with a properly authorized business pursuant to the zoning laws of the City.

C. Inoperative Vehicles. It shall be unlawful to park, store or leave, or permit the parking or storing of, more than one inoperative vehicles upon any public or private property within the City, unless such vehicles are located where they are not visible from outside the owner’s property, or unless it is in connection with a properly authorized business pursuant to the zoning laws of the City.

D. Owner Responsibility. The accumulation or storage of discarded vehicles or inoperative vehicles in violation of this chapter, on public or private property, shall constitute a nuisance. It shall be the duty of the registered owner of the vehicle, the owner of the private property, and the lessee or other person in possession of the private property upon which the vehicle is located, to remove it from the City, or to have it located where it will not be visible from a public street or other property.

E. Notice. It shall be the duty of the City Administrator to give written notice to such persons as described in subsection (D) of this section as may reasonably be determined. Such notice shall be given as provided in BMC [8.30.150](#).

F. Violation. Failure to remove a discarded or inoperative vehicle pursuant to the notice provided in subsection (E) of this section shall constitute a violation of this code and shall be subject to the penalties provided in BMC [8.30.210](#) and [8.30.220](#). Any or all of the responsible parties described in BMC [8.30.040](#) may be charged with such a violation or violations. [Ord. 682 § 1, 2002.]

8.30.150 Abatement procedure – Notice.

A. Upon determination by the City Administrator that a nuisance exists, the City Administrator shall cause a notice to be posted on the premises or at the site of the nuisance, directing that person responsible to abate the nuisance.

B. At the time of posting, the City Administrator shall cause a copy of the notice to be forwarded to the person responsible at the person’s last known address or by electronic means. The City Administrator shall document methods of notice as part of the file.

C. The notice to abate shall contain:



1. A description of the real property, by street address or otherwise, on which the nuisance exists.
2. A direction to abate the nuisance within 10 days or other required time frame from the date of the notice.
3. A description of the nuisance.
4. A statement that, unless the nuisance is removed, the City may abate the nuisance and the cost of abatement will be charged to the person responsible.
5. A statement that failure to abate a nuisance may warrant imposition of a fine or jail sentence.
6. A statement that the person responsible may protest the order to abate by giving notice to the City Recorder within five (5) days from the date of the notice.

D. If the person responsible is not the owner, an additional notice shall be sent to the owner stating that the cost of abatement not paid by the person responsible may be assessed to and become a lien on the property.

E. Upon completion of the posting and mailing, the persons posting and mailing shall execute and file copies of the notice stating the date and place of the mailing and posting.

F. An error in the name or address of the person responsible shall not make the notice void, and in such case the posted notice shall be sufficient. [Ord. 588 § 46, 1989; 1981 Compilation § 4-5.46.]

8.30.160 Abatement by the person responsible.

A. Within 10 days or other time frame as may be required after the posting and mailing of notice as provided in BMC [8.30.150](#), the person responsible shall remove the nuisance or show that no nuisance exists.

B. A person responsible, protesting that no nuisance exists, shall file with the City Administrator a written statement which shall specify the basis for so protesting.

C. The statement shall be referred to the City Council as a part of its regular agenda at its next succeeding meeting. At the time set for consideration of the abatement, the person protesting may appear and be heard by the Council; and the Council shall determine whether or not a nuisance in fact exists; and the determination shall be entered in the official minutes of the Council. Council determination shall be required only in those cases where a written statement has been filed as provided.

D. If the Council determines that a nuisance does in fact exist, the person responsible shall, within forty-eight (48) hours after the Council determination, abate the nuisance. [Ord. 588 § 47, 1989; 1981 Compilation § 4-5.47.]



8.30.180 Abatement by the City.

A. If, within the time allowed, the nuisance has not been abated by the person responsible, the Council may cause the nuisance to be abated.

B. The officer charged with abatement of the nuisance shall have the right at reasonable times to enter into or upon property to investigate or cause the removal of a nuisance.

C. The City shall set by resolution an hourly rate for nuisance abatement performed by City personnel. The City Administrator shall keep an accurate record of the time spent by the City in physically abating the nuisance, and any and all expenses incurred, and any amounts spent for contracted services. A charge of \$20.00 or 20 percent of those expenses, whichever is the greater, will be included for administrative overhead. [Ord. 589 § 1, 1989; Ord. 588 § 49, 1989; 1981 Compilation § 4-5.49.]

8.30.190 Assessment of costs.

A. The City Recorder shall forward to the owner and the person responsible by ~~registered or certified~~ mail, by hand-delivery or by posting on the subject property, a notice stating:

1. The total cost of abatement, including the administrative overhead.
2. That the cost as indicated will be assessed to and become a lien against the property unless paid within 30 days from the date of the notice.
3. That if the owner or the person responsible objects to the cost of the abatement as indicated, a notice of objection may be filed with the City Recorder not more than five (5) days from the date of the notice.

B. ~~No sooner than 10 days after the date of the notice,~~ the Council, in the regular course of business, shall hear and make a decision on the objections to the costs assessed.

C. If the costs of the abatement are not paid within 30 days from the date of the notice, an assessment of the costs, as stated or as decided by the Council, shall be entered in the docket of City liens by the City Recorder. When the entry is made, it shall constitute a lien on the property from which the nuisance was removed or abated.

D. The lien shall be enforced in the same manner as liens for street improvements are enforced and shall bear interest at the rate of interest determined by the Council at the time the assessment is entered in the lien docket. The interest shall begin to run 10 days after the date of entry of the lien in the lien docket.

E. An error in the name of the owner or the person responsible or a failure to receive the notice of the proposed assessment will not void the assessment, and it shall remain a valid lien against the property. [Ord. 588 § 50, 1989; 1981 Compilation § 4-5.50.]



8.30.200 Summary abatement.

The procedure provided by this chapter is not exclusive but is in addition to procedures provided by other ordinances; and the City Administrator or any other City official may proceed summarily to abate a health or other nuisance which unmistakably exists and which imminently endangers human life or property including nuisances that may have a ten (10) day, forty-eight (48) hour or twenty-four (24) hour time frame for the nuisance. [Ord. 588 § 51, 1989; 1981 Compilation § 4-5.51.]

8.30.220 Separate violations.

A. Each day's violation of a provision of this chapter constitutes a separate offense.

B. The abatement of a nuisance is not a penalty for violating this chapter, but is an additional remedy. The imposition of a penalty does not relieve a person of the duty to abate the nuisance; however, abatement of a nuisance within the required time frame allowed by ordinance of determination that a nuisance exists will relieve the person responsible from the imposition of any fine or imprisonment under BMC [8.30.210](#). [Ord. 588 § 53, 1989; 1981 Compilation § 4-5.53.]

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this _____
day of _____, 2018.

ATTEST:

Mayor

City Administrator



ORDINANCE NO. 773

AN ORDINANCE ADDING SECTION 6.10.050 (Attractants) TO TITLE 6 OF THE BROWNSVILLE MUNICIPAL CODE

WHEREAS, Council recognizes a need to adopt rules and regulations for the peace, safety, health and welfare of citizens, and:

WHEREAS, Title 6 of the Brownsville Municipal Code (BMC), Chapter 6.10 contains the language that generally governs offenses relating to animals, and;

WHEREAS, the Brownsville City Council desires to amend the Brownsville Municipal Code to include recommended language and to better define the law, and;

NOW THEREFORE, the Brownsville City Council ordains as follows:

6.10.050 Feeding non-domesticated animals.

PURPOSE

The purpose of this ordinance is to protect the health and safety of residents in the City of Brownsville with respect to potential dangers and nuisances associated with non-domesticated animals by minimizing opportunities for such animals to obtain food from sources controlled or controllable by humans.

DEFINITIONS

- A. "Attractant" means any substance which could reasonably be expected to attract non-domesticated animals, including but not limited to, garbage, food products, pet food, carcasses, feed, and grain.
- B. "Feeding" means the leaving of food of any kind where it is accessible to non-domesticated animals.
- C. "Food" means all substances consumed by humans or animals for nourishment except grass and other vegetation, growing crops, and food that is canned or stored in sealed or closable containers.

PROHIBITIONS

- D. No person shall knowingly feed or in any manner provide an attractant to non-domesticated animals; provided that domestic pets are not attractants, and feeding pets outdoors does not create an attractant if the pet eats all the food immediately, or the remaining food is removed as soon as the pet stops eating, or the pet is fed in a secure cage or other enclosure.



- E. No person shall knowingly leave, store, or maintain any food or attractant in a manner, area, or location accessible to other non-domesticated animals.

EXCEPTIONS

- F. Food for birds or squirrels that is in a feeder located within 20 feet of a residence or property line.
- G. Outdoor feeding of farm animals, provided (1) animal food, when not being fed to animals, is stored in a building or a closed container; (2) excessive amounts of food, based on the animals' eating history, are not provided to the animals; (3) injured, old, feeble, or prey-sized animals are not left out unattended; and (4) all other reasonable efforts are made to reduce attractants to non-domesticated animals.

ENFORCEMENT

- H. This ordinance shall be enforced by the police and/or animal control officers of the City of Brownsville or the City Administrator or designee.
- I. A written notification may be issued by the City Administrator or designee requiring and directing the person in violation to remove the food or other attractant within two (2) days of notification. The City may post the property using normal procedures. The City may also contact the property owner or the person in charge of property as found in Brownsville Municipal Code 8.30.010 and hand deliver the notice.
- J. A person receiving a written notification under subsection B. of this section shall remove the food or other attractant as directed within two (2) days of notification. If the attractant is not removed, the City shall cite the responsible party into court by any means necessary.
- K. Violations of this ordinance are punishable by a civil penalty of not more than \$50 for each day of violation. Each day's violation shall constitute a separate offense.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this ____ day of _____, 2018.

ATTEST:

Mayor

City Administrator



ORDINANCE NO. 774

**AN ORDINANCE AMENDING TITLE 15 OF THE
BROWNSVILLE MUNICIPAL CODE, ADDING
CHAPTER 15, SECTION 15.85.075
(Noise)**

WHEREAS, Council recognizes a need to adopt rules and regulations for the peace, safety and health of citizens, and:

WHEREAS, Title 15 of the Brownsville Municipal Code (BMC) contains the language that generally governs development in the City, and;

WHEREAS, the Brownsville City Council desires to amend the Brownsville Municipal Code to adopt noise guidelines, and;

NOW THEREFORE, the Brownsville City Council ordains as follows:

15.85.075 Noise.

All proposed commercial and industrial uses shall be evaluated by the City Administrator or designee to determine if sound level mapping or equivalent study will be required for the development. Any necessary updates of any such study shall be the responsibility of the property owner creating the noise. The guide is below:

TABLE INSET:

| | Maximum Noise Level in dBA (levels not to be exceeded more than 30 minutes in any hour) | | Maximum Noise Level in dBA (level not to be exceeded more than 5 minutes in any hour) |
|----------------------------------|--|--|---|
| Zoning District: | Measured at Property Line or District Boundary | Measured at Any Boundary of a Residential Zone | Between 10 pm and 7 am Measured at Any Boundary of a Residential Zone*** |
| Low & Medium Density Residential | 55 | | |
| Special Development | 55 | | |
| High Density Residential | 65 | | |



| | | | |
|------------------------------|----|----|---------------------------|
| Volume & Old Town Commercial | 70 | 60 | 50 or ambient noise level |
| Light Industrial | 70 | 60 | 50 or ambient noise level |
| Public | 70 | 60 | 50 or ambient noise level |

Notes: The measurement will be at property lines. When zoning districts are immediately adjacent the measurement will be at the boundary of the district. All dBA measurements shall be outside measurements.

*** Restricted hours may be modified through conditions of an approved conditional use permit. Sections of this Chapter also provide for additional restricted hours and the most restrictive hours shall apply.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this _____ day of _____, 2018.

ATTEST:

Mayor

City Administrator



ORDINANCE NO. 775

**AN ORDINANCE ADDING SECTION 6.10.060 (Farm Animals)
TO TITLE 6 OF THE BROWNSVILLE MUNICIPAL CODE**

WHEREAS, Council recognizes a need to adopt rules and regulations for the peace, safety and health of citizens, and:

WHEREAS, Title 6 of the Brownsville Municipal Code (BMC), Chapter 6.10 contains the language that generally governs offenses relating to animals, and;

WHEREAS, the Brownsville City Council desires to amend the Brownsville Municipal Code to include recommended language and to better define the law, and;

NOW THEREFORE, the Brownsville City Council ordains as follows:

6.10.060 Farm animals.

PERMITTED

- Fowl, poultry & rabbits must be properly penned and/or contained and are allowed within the city limits.
- Minimum acreage for farm animals shall be one (1) acre for each horse, mule, donkey, bovine, llama, alpaca or goat.
- Sheep shall be an administrative review.
- Bees shall be an administrative review.

PROHIBITIONS

- Roosters and peacocks are not permitted in city limits.
- Swine/pigs are not permitted in city limits.
- Exotic animals are not permitted outdoors in city limits.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this ____ day of _____, 2018.

ATTEST:

Mayor

City Administrator



Older Americans Month 2017

A PROCLAMATION

Whereas, Oregon Cascades West Council of Governments is proud to provide services to approximately 14,827 adults age 60 and older, in the Benton County area, 6,580 adults age 60 and older, in the Lincoln County Area, and 24,898 adults age 60 and older, in the Linn County area who deserve recognition for their contributions and sacrifices to ensure a better life for future generations; and

Whereas, the City of Brownsville is committed to helping all individuals live longer, healthier lives in the communities of their choice for as long as possible; and

Whereas, since 1965, the Older Americans Act has provided services that help older adults remain healthy and independent by complementing existing medical and health care systems, helping prevent hospital readmissions, and supporting some of life's most basic functions, such as bathing or preparing meals; and

Whereas, these programs also support family caregivers, address issues of exploitation, neglect and abuse of older adults, and adapt services to the needs of Native American elders; and

Whereas, we recognize the value of community engagement and service in helping older adults remain healthy and active while giving back to others; and

Whereas, our community can provide opportunities to enrich the lives of individuals of all ages by:

- Promoting and engaging in activity, wellness, and social inclusion;
- Emphasizing home- and community-based services that support independent living; and
- Ensuring community members of all ages benefit from the contributions and experience of older adults.

Now therefore, the City of Brownsville do hereby proclaim May 2018 to be Older Americans Month. The City of Brownsville urges every resident to take time this month to celebrate older adults and the people who serve and support them as powerful and vital individuals who greatly contribute to the community.

Dated this 24th day of April, 2018

By:

Don Ware
Mayor



Mental Health Month 2018

A Proclamation

WHEREAS, mental health is essential to everyone's overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, promotion and prevention are effective ways to reduce the burden of mental health conditions; and

WHEREAS, there is a strong body of research that support user-friendly tools that all Americans can access to better handle challenges, and protect their health and well-being; and

WHEREAS, mental health conditions are real and prevalent in our nation; and

WHEREAS, with effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, faith-based organization, health care provider, veteran's groups and citizen has a responsibility to promote mental wellness and support prevention efforts; and

WHEREAS, the Linn County Mental Health Advisory Board is emphasizing that there is no health without mental health by being involved with Public Service Announcements, Health Fairs, public speakers and various trainings regarding mental health issues;

NOW, THEREFORE, BE IT RESOLVED that I, *Don Ware*, Mayor of Brownsville, Oregon do hereby proclaim May 2018 as Mental Health Month in Brownsville, Oregon. As the Mayor, I also call upon the citizens, governmental agencies, public and private institutions, businesses and schools in Brownsville to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

Proclaimed this 22nd day of April, 2018.

ATTEST:

APPROVED:

S. Scott McDowell
City Administrator

Don Ware
Mayor

March 28, 2018

Dear Sherry and Board Members,

I am writing to apply for the vacant position on the Library Board. I have been a resident of Brownsville for 5 years and I am a lifelong reader and committed to improving literacy in our community. I am seeking greater involvement in my community.

When my husband and I first came to Brownsville, access to a library was critical to our decision to select a new home town. Your library reminded me of the library I used as a child in Lancaster county Pennsylvania - friendly, full of interesting things and committed to the community. Shortly afterward, I learned about and joined the book club. I have continued to be impressed with the work you do even as funding has diminished.

. I am a Registered nurse and have a health care consulting company. I have a strong background in project management, finance and marketing. I enjoy presenting information to groups and assisting with written communication.

My husband says that if I were a bookseller, I would interview each buyer to make sure the book was going to a good home. While that may be overstated, I know how books have enriched my life and the broader horizons they provide to all of us. I would like to be a part of ensuring the continued growth of library services in our community

Thank you for considering my application for Board Membership



Sandy Saltzer

100 Hausman Ave

Brownsville OR

206-552-1904

sandrasaltzer@gmail.com

S. Scott McDowell

From: Ray & Linda McCormick <themacs@hevanet.com>
Sent: Friday, April 13, 2018 3:51 PM
To: 'S. Scott McDowell'
Subject: RE: Library Advisory Board

Hello Scott.

I understand there is a request for a new Library Advisory Board member. I would like to apply for the position. Besides being a library card holder, I have spent many hours there doing research and using the attributes of this fine establishment. I would be happy to be a part of protecting and caring for the Brownsville Community Library as an Advisory Board member. I have a wonderful relationship with Sherri and hold her in high regards. A couple other board members have asked me to apply, so I feel like I am a wanted applicant, besides my own interest.

Thank you for this opportunity to serve our community,

Linda McCormick
themacs@hevanet.com
541 367-8591
37994 Highway 228
Brownsville, Oregon 97327



Oregon

Kate Brown, Governor

Liquor Control Commission

9079 SE McLoughlin Blvd

Portland, OR 97222-7355

(503) 872-5000

(800) 452-6522

RECEIVED
City of Brownsville

MAR 30 2018

Clerk _____

City of Brownsville, Attn: City Administrator
BROWNSVILLE
PO Box 188
Brownsville, OR 97327

RENEWAL NOTIFICATION PROCESS

It's time again for liquor license renewals in your area. Liquor licenses are due to expire **6/30/2018**. Attached is the list of licensees who are required to submit their renewal application to local government for comment. According to our records you charge:

\$0.00 Renewal Fee for ON-PREMISES \$0.00 Renewal Fee for OFF-PREMISES

We told applicants to mail your local government fees to the address on this letter.
PLEASE NOTIFY US IMMEDIATELY IF THE FEE(S) OR ADDRESS ARE INCORRECT

HOW TO MAKE A RECOMMENDATION

You have until 5/31/2018 to make your recommendation. Below are your options for renewals:

RECOMMEND APPROVAL

- 1. DO NOTHING.** If you do not submit a recommendation by **5/31/2018**, the OLCC will process the renewal application as a favorable recommendation.

RECOMMEND DENIAL (see additional information on page 2)

- File an unfavorable recommendation, stating the grounds for the unfavorable (must meet the denial criteria on back of form); **OR**
- Make a written request for additional time to complete an investigation. The request must state: 1) you are considering making an unfavorable recommendation; 2) the specific grounds being considered. **The grounds must be one referenced in Oregon Administrative Rule 845-005-0308(3).** If your request is granted you will be given a 45-day extension to file your unfavorable recommendation. Unfavorable means recommending denial of a license or requesting restrictions be placed on a license.

If you need assistance or would like to discuss a specific application, please contact your local OLCC office for help. Please send renewal recommendation correspondence to OLCC.Renewals@oregon.gov or OLCC License Renewals, P.O. Box 22297, Portland, OR 97269-2297. If you have questions, contact our license renewal section at 503.872.5138 or toll free at 1.800.452.6522 ext 25138.



REASONS WE MAY DENY OR RESTRICT A LICENSE
ORS 471.313(4)(5), OAR 845-005-0320, 845-005-0321, 845-005-0322
845-005-0325, 845-005-0326(4)(5) or 845-005-0355

The following is a list of problems relating to the **APPLICANT** or **BUSINESS** that OLCC can consider to refuse or restrict a license:

1. Applicant has a habit of using alcohol or drugs to excess
2. Applicant makes a false statement to OLCC (must be related to a refusal basis)
3. Applicant has been convicted of local, state or federal laws that are substantially related to the fitness of holding a liquor license
4. Applicant has demonstrated poor moral character
5. Applicant has a poor record of compliance when previously licensed by OLCC
6. Applicant is not the legitimate owner of the business
7. The business has a history of serious and persistent problems at this location. The problems can include:

obtrusive or excessive noise, music or sound vibrations
public drunkenness
fights or altercations
harassment
unlawful drug sales
alcohol or related litter

OLCC is not able to consider the following issues when deciding to renew a liquor license:

lack of parking
increase in traffic
too many licenses in a specific area (saturation)
entertainment type - nude dancing, gambling, live bands, etc.
increased noise
zoning issues

Visit www.oregon.gov/olcc/ to see the full text of ORS and OAR referenced above. In order for an unfavorable recommendation from a local government to be valid, the grounds must be found in the license refusal bases of ORS 471.313(4), 471.313(5), OAR 845-005-0320, 845-005-0321, 845-005-0322, 845-005-0325 or 845-005-0326(4)(5) or the license restriction bases of OAR 845-005-0355, and must be supported by reliable factual information.

District 3 Renewals

BROWNSVILLE

Page 1

| <u>License No./ Premises No.</u> | <u>Tradename/Licensee/License Type</u> | <u>Premises Address & Phone</u> | <u>Premises Mailing Address</u> |
|--------------------------------------|---|--|--|
| Lic. 258465 Prem. 46040 | ARMANDOS FAMILY RESTAURANT ARMANDOS 2 LLC F-COM - FULL ON-PREMISES SALES | 122 SPAULDING AVE BROWNSVILLE, OR 97327 541-466-3636 | 3095 W 11TH AVE EUGENE, OR 97402 |
| Lic. 263941 Prem. 4951 | BROWNSVILLE SALOON BROWNSVILLE TAVERN LLC F-COM - FULL ON-PREMISES SALES | 419 & 425 N MAIN ST BROWNSVILLE, OR 97327 541-466-5251 | 155 N MAIN ST BROWNSVILLE, OR 97327 |
| Lic. 256271 Prem. 48307 | BROWNSVILLE VIDEO DEBORAH A. LARSEN O - OFF-PREMISES SALES | 130 SPAULDING AVE BROWNSVILLE, OR 97327 541-466-9100 | PO BOX 340 BROWNSVILLE, OR 97327 |
| Lic. 257789 Prem. 4952 | DARI MART STORE #24 DARI-MART STORES INC O - OFF-PREMISES SALES | 220 S MAIN ST BROWNSVILLE, OR 97327 541-466-5335 | 125 E 6TH AVE JUNCTION CITY, OR 97448 |
| Lic. 258542 Prem. 55665 | HARPERS WINE HOUSE MICHELLE D. SMITH HARPER O - OFF-PREMISES SALES | 320 N MAIN BROWNSVILLE, OR 97327 541-974-3815 | PO BOX 475 BROWNSVILLE, OR 97327 |
| Lic. 258543 Prem. 55666 | HARPERS WINE HOUSE MICHELLE D. SMITH HARPER L - LIMITED ON-PREMISES SALES | 320 N MAIN BROWNSVILLE, OR 97327 541-974-3815 | PO BOX 475 BROWNSVILLE, OR 97327 |
| Lic. 256451 Prem. 40133 | JERRY'S GAS & FOOD MART JERRY'S GAS & FOOD MART LLC O - OFF-PREMISES SALES | 203 E BISHOP WAY BROWNSVILLE, OR 97327 541-369-2801 | PO BOX 274 BROWNSVILLE, OR 97327 |
| Lic. 258627 Prem. 49205 | KIRK'S FERRY TRADING POST KIRK'S FERRY TRADING POST LLC F-COM - FULL ON-PREMISES SALES | 217 W BISHOP WAY BROWNSVILLE, OR 97327 541-466-5614 | PO BOX 805 BROWNSVILLE, OR 97327 |

Count for BROWNSVILLE

8



The Career Development Center » Employers

STUDENTS ALUMNI EMPLOYERS FACULTY & STAFF ABOUT US

[Home](#) » [Employers](#) » [Internship Guide](#)

Criteria for Approving Internships

Criteria for an Experience to Be Defined as an Internship

To ensure that an experience—whether it is a traditional internship or one conducted remotely or virtually—is educational, and thus eligible to be considered a legitimate internship by the NACE definition, all the following criteria must be met:

1. The experience must be an extension of the classroom: a learning experience that provides for applying the knowledge gained in the classroom. It must not be simply to advance the operations of the employer or be the work that a regular employee would routinely perform.
2. The skills or knowledge learned must be transferable to other employment settings.
3. The experience has a defined beginning and end, and a job description with desired qualifications.
4. There are clearly defined learning objectives/goals related to the professional goals of the student's academic coursework.
5. There is supervision by a professional with expertise and educational and/or professional background in the field of the experience.
6. There is routine feedback by the experienced supervisor.
7. There are resources, equipment, and facilities provided by the host employer that support learning objectives/goals.

All internship positions posted on Handshake must meet the following criteria to be approved by OSU Career Development Center:

- › The position must be a learning experience for the student.
- › The company/organization must be a legitimate established business located in commercial space.
- › An experienced professional with expertise in the content area of the internship (i.e., the "Site Supervisor") must be assigned to supervise/mentor the intern/student. The person trains the student as needed, monitors and evaluates student's work performance.
- › Interns must be given an orientation to the organization, safety procedures, training, ongoing supervision, and evaluation.
- › It is the responsibility of the employer to cover the costs for all training, certificates, background checks, etc.
- › There are no requirements for the student to pay the employer in any form for any part of the experience. The employer expects no immediate advantage from the activities of the intern.
- › Interns should not be considered "consultants" or be expected to provide a function that your professional staff does not have the skills to perform (i.e., create a company website, write a grant, and develop a marketing campaign) -consider hiring a student for part-time or seasonal work to perform those tasks.
- › Interns must have an appropriate workspace and tools with which to perform their duties (i.e., access to a computer, software, etc.).
- › Oregon State University will not approve any unpaid internships with for-profit companies unless they meet the six Fair Labor and Standards Act Guidelines, as listed on the [Internship Guide](#).

Experiences that typically DO NOT qualify as Internships:

- › Commission-based positions.
- › Internships located in home-based businesses.
- › Situations where 100% of the work is done remotely or virtually.
- › Positions in which the intern displaces a regular employee.
- › Positions that require door-to-door canvassing, cold-calling, or petition gathering.
- › "Independent contractor" relationships that require the intern to set up his/her own business for the purpose of selling products, services, and/or recruiting other individuals to set up their own business.
- › Family-owned businesses or positions supervised by a family member.
- › Telemarketing positions.
- › Positions in which the student is required to pay the employer for any part of the experience (fees for training, etc.).
- › International Internships will not be approved unless the employer has successfully applied to and been approved by the OSU IE3 Global Internship Program.

ONLINE TOOLS



EMPLOYERS

- Career Events
- Post Jobs & Internships
- Recruiting Guide
- Internship Guide
- › [Criteria for Approving Internships](#)
- Visit Oregon State
- Sponsorship

OFFICE PARTNERS

Gold



Interested in becoming a partner with the OSU Career Development Center? [Learn more about sponsorship.](#)

Handshake Jobs

Public Information Manager at

City of Portland Bureau...
Employer: City of Portland Bureau of Development Services - Bureau of Development Services Expires...
Apr 12, 2018 11:48 PM

Fiscal Analyst 2 at Washington State Department of T...

Employer: Washington State Department of Transportation Expires: 04/20/2018
The Washington State ...

Powered by feedwind

OSU Jobs

Financial Planning Manager

(/) (/center/)



National Association of Colleges and Employers

POSITION STATEMENT: U.S. INTERNSHIPS

A DEFINITION AND CRITERIA TO ASSESS OPPORTUNITIES AND DETERMINE THE IMPLICATIONS FOR COMPENSATION

ABSTRACT

Experiences through which students can apply their academic knowledge in work settings are a vital component of a college education. These experiences are widely labeled as “internships,” but the criteria for and oversight of these experiences vary widely among institutions of higher education and employers in the United States. This paper examines the characteristics of a legitimate internship and the conditions under which such an experience can be engaged on an unpaid basis. At the foundation of this paper is the tenet that an internship is a legitimate learning experience benefitting the student and not simply an operational work experience that just happens to be conducted by a student.

OVERVIEW OF CURRENT PERSPECTIVES FOR EXPERIENTIAL LEARNING EXPERIENCES

Experiential learning is a crucial component of a college education. Experiential learning encompasses a wide variety of enriching opportunities for students, including service-learning, volunteering, student organization leadership and campus involvement, faculty-led research and projects, experiential study-abroad, student employment/work-study, cooperative education, and internships. This position paper concerns itself specifically with internships.

More students are pursuing experiential learning, particularly internships, more colleges and universities are promoting student engagement in experiential learning such as internships, and a greater number and variety of employers are offering these experiences in the form of internships. Significant discussion has developed, particularly around the concept, purpose, structure, and function of internships, and the conditions under which internships can be pursued on an unpaid basis.

In 2010, the National Association of Colleges and Employers (NACE) issued a position statement on unpaid internships that was developed after conducting a national survey of employer and college members and considering other related research. It is framed by principles, beliefs, assumptions, and information that took into consideration the numerous and varying current practices. NACE has developed a framework within which to define the internship experience and identify criteria for determining when internships can be offered ethically and legitimately without pay.

DEFINITION OF “INTERNSHIP” AND CONSISTENT CRITERIA

Because the parties involved in the internship process—students, colleges and universities, and employers—have differing objectives, it is important to have a definition of “internship” upon which all parties can agree. Currently,

the term “internship” is used to describe various experiences. Moreover, there are no guidelines by which employers, educators, and students can consistently define “internships.”

To establish uniformity in the use and application of the term “internship,” NACE recommends the following definition:

An internship is a form of experiential learning that integrates knowledge and theory learned in the classroom with practical application and skills development in a professional setting. Internships give students the opportunity to gain valuable applied experience and make connections in professional fields they are considering for career paths; and give employers the opportunity to guide and evaluate talent.

To effectively implement this definition, it is necessary to develop criteria that college career centers and employer recruiters can use to identify workplace experiences that can legitimately be identified as “internships.” The discussion of these criteria is framed by several conditions. These conditions are the legal definitions set by the Fair Labor Standards Act (FLSA); the widely varying guidelines set by individual educational institutions and academic departments within institutions; employer perspectives on and objectives for internships; and the unique experiential learning objectives of students.

The legal considerations are addressed through six criteria for unpaid interns for the service they provide to “for-profit” private sector employers articulated in the Fair Labor Standards Act (see FLSA Fact Sheet #71). Essentially, if the six criteria are met, the Department of Labor (DOL) considers there to be no employment relationship. The six criteria established by the DOL are:

- The internship, even though it includes actual operation of the employer’s facilities, is similar to training that would be given in a vocational school.
- The internship experience is for the benefit of the student.
- The intern does not displace regular employees, but works under the close observation of a regular employee.
- The employer provides the training and derives no immediate advantage from the activities of the intern. Occasionally, the operations may actually be impeded.
- The intern is not necessarily entitled to a job at the conclusion of the internship.
- The employer and the intern understand that the intern is not entitled to wages for the time in the internship.

In the 2010 NACE survey, both career services and employers agreed with five of the six FLSA criteria; both groups disagreed with the criterion that the employer derives no immediate advantage from the activities of the student.

Students pursue internships because they want to gain professional experience that links their academic coursework to the disciplines they want to pursue for their careers. To gain this experience, students want to engage in projects and tasks that contribute to the professional work of the organization. This means that the employer *does* benefit from the work of the intern while, at the same time, it provides a meaningful experience that allows for the application of academic knowledge.

While the DOL standards are a matter of law, they were originally created for vocational training programs. NACE has recommended to the DOL that it reconsider and revise the FLSA criteria to ensure they “account for the incredible diversity of students, higher education institutions, and employing organizations involved in such programs.” In fact, a recent decision by the 6th Circuit Court in *Solis v. Laurelbrook Sanitarium* addressed the issue of students working unpaid. The case turned on the issue of “primary benefit,” and the court held that students in this case were not “employees” for purposes of the FLSA. The ruling in this case bolsters NACE’s position. It should be

noted, however, this case concerned a not-for-profit organization.

To advance this assessment, the ethics must be considered. *At the foundation of such an assessment is the tenet that the internship is a legitimate learning experience benefitting the student and not simply an operational work experience that just happens to be conducted by a student.* The core question then is whether or not work performed by an intern will primarily benefit the employer in a way that does not also advance the education of the student.

CRITERIA FOR AN EXPERIENCE TO BE DEFINED AS AN INTERNSHIP

To ensure that an experience—whether it is a traditional internship or one conducted remotely or virtually—is educational, and thus eligible to be considered a legitimate internship by the NACE definition, all the following criteria must be met:

1. The experience must be an extension of the classroom: a learning experience that provides for applying the knowledge gained in the classroom. It must not be simply to advance the operations of the employer or be the work that a regular employee would routinely perform.
2. The skills or knowledge learned must be transferable to other employment settings.
3. The experience has a defined beginning and end, and a job description with desired qualifications.
4. There are clearly defined learning objectives/goals related to the professional goals of the student's academic coursework.
5. There is supervision by a professional with expertise and educational and/or professional background in the field of the experience.
6. There is routine feedback by the experienced supervisor.
7. There are resources, equipment, and facilities provided by the host employer that support learning objectives/goals.

If these criteria are followed, it is the opinion of NACE that the experience can be considered a legitimate internship.

POSTING UNPAID INTERNSHIPS

Career services professionals should monitor positions posted through their career centers to see that they follow the NACE definition and criteria articulated in this paper. This is particularly important for unpaid internships, as allowing an unpaid internship to be posted implies approval of the internship. Therefore, career centers should not post any unpaid internships that do not meet the seven criteria set forth above.

ACADEMIC CREDIT

While academic credit legitimizes an unpaid experience, in order to be identified as an internship, that experience must fit the criteria. For experiences that employers make available only if academic credit is awarded, the college or university's requirements in combination with the criteria laid out in this paper should be used to determine if the experience is a legitimate internship.

CONCLUSION

This paper examines how to assess experiences often promoted to students as "internships" with the goal of determining the implications for compensation by exploring three components:

- The experience's legitimacy as an internship must be determined. To do so, the educational value of the experience must be considered of most importance.

- Once the experience can be ethically identified as an internship, the implications for compensation can be determined. An experience that meets all the criteria may be offered unpaid.
- Only an experience that meets the criteria presented in this paper should be labeled an internship.

It is the considered opinion of NACE that career services professionals and employment professionals can work collaboratively to ensure that an experience meets and adheres to the criteria so that it can be legitimately considered an internship. In this way, valuable experiential learning can be ethically provided for students.

July 2011

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2017-2018 Council Values

Council Vision Statement

The Brownsville City Council works collaboratively and effectively with each other, staff, and community partners to preserve the historic character and economic health of our town and to create a high quality of life for our citizens.

A Vision for Brownsville

For a tiny rural Oregon community, Brownsville has a huge presence. It is well-known throughout the state for its friendly welcome and for being a safe, clean, and attractive town. It is clear that residents value its historic character and make special efforts to preserve and enhance it. Talk to business owners in the thriving north and south business areas and you will find that it is the creative working relationships between city government and private, county, state, and federal partners that sustain our economic health and well-being. Residents participate in Brownsville's inclusive process of growing and enhancing our high quality of life. Brownsvillians care about healthy city finances, they expect infrastructure that delivers, and they elect a City Council that works for the benefit of the community. Public spaces are a vital part of Brownsville's sense of place; citizens' and city government's attention to the appearance and cleanliness of parks, streets, and neighborhoods adds to the town's livability.

Tag line

Brownsville: Where People Care, Business Thrives, and History Lives

Who we are?

Brownsville is a City that is proud of its past while constantly improving toward the future for the benefit of our citizens. We are a group of citizens that honor each other by carefully balancing the social contract (Brownsville Municipal Code) to keep peace and order. The Brownsville Municipal Code and Comprehensive Plan help define the role of the City. Organizational transparency is a focus of Council. Council is working closely with Staff, volunteers, civic organizations, appointed officials and the citizenry to execute identified goals and carry out the responsibilities of the City.

Brownsville has a tremendous sense of place and synergy between City Hall and our residents. Active citizens are the true strength of Brownsville as evidenced by the volunteers who give freely of themselves to provide many municipal functions and civic services. Many civic organizations implement their missions actively in our community which provides a quality of life and vibrancy that is uncommon. Community events are planned and designed to invite people into town to share what Brownsville has to offer.

Council recognizes that many civic organizations and the City government are working diligently on implementing organizational development concepts in order to more efficiently provide services. Council recognizes that we are in a transition period between an authoritative model and are collectively moving toward a new, participatory approach within the organization and throughout the community.

What do we want for Brownsville?

Brownsville should honor the past, maintain a healthy present and strive to assure a dynamic future by focusing on fundamental municipal services such as:



2017-2018 Council Values

- | | |
|-------------------------|----------------------------|
| 1. Treasury Health | 7. Contract Administration |
| 2. Water | 8. Personnel |
| 3. Sewer | 9. Police Protection |
| 4. Capital Improvements | 10. Municipal Court |
| 5. Parks | 11. Library Services |
| 6. Streets | 12. Planning & Zoning |

Organizational Development

- Elected & Appointed Officials.*** People who understand their role and responsibilities for the City as policy & decision makers. People who have a tremendous amount of pride and caring about the future of Brownsville. People who understand the financial nuances of local government in Oregon. People who understand and respect the significant contributions of Staff. People who are focused on the greater good they can collectively make in the community. People who understand the mission of the City and who can explain City policy and issues with the general public. People who represent Brownsville citizenry as well as City Staff.
- Staff.*** People who understand their multiple roles and responsibilities. People who love coming to work. People who are interested in creating the best possible work environment that is full of respect and compassion for the citizens and is honest and trusting among all the ranks of the organization. People who don't complain about what they cannot control but people who are interested in creating practical, cost-effective solutions for those issues they can control. People who expect more than the ordinary from themselves and from each other.
- Organizational Axiom.*** Creating, developing and maintaining effective relationships with individuals, other civic organizations, County, State & Federal government personnel. Understanding that the number one priority of the City is relationship building. The City shall honor relationships and the ordinances and laws of the land. The City shall be ever mindful of the importance of the social contract of government and the order that it strives to preserve for the sake of freedom.

NOTES: Council has discussed many organizational theories & objectives as well as identifying important critical thinking models that will serve as a guide for making better decisions. Below are a few of those models:

THE PROCESS OF PROGRESS

1. Recognize/Identify
2. Accept/Agree
3. Strategize/Develop Action Steps
4. Implement/Execute
5. Review Outcomes

LEXIPOL'S 10 FAMILIES OF RISK MODEL

1. External Risks

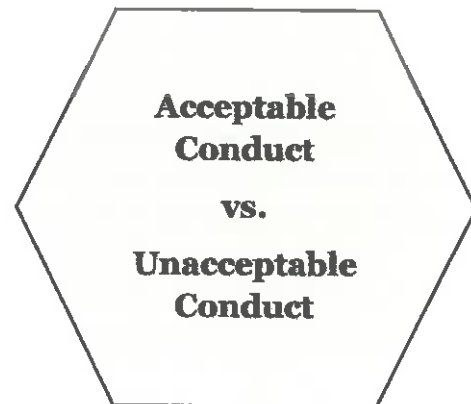


2017-2018 Council Values

2. Legal & Regulatory Risks
 3. Strategic Risks
 4. Organizational Risks
 5. Operational Risks
 6. Information Risks
7. Human Resources Risks
 8. Technology Risks
9. Financial and Administrative Risks
 10. Political Risks

How are expectations set in City Government?

- ◆ Laws & Municipal Code
- ◆ Standards
- ◆ Requirements & Rules
- ◆ Memoranda of Understanding
- ◆ Contracts
- ◆ Agreements
- ◆ Employee Handbook
- ◆ Societal Norms
- ◆ Cultural Nuances
- ◆ Public Opinion





2017-2018 Council Goals

- **Focus on the Fundamentals**
 - *Protect & Manage Brownsville's Treasury.*
 - *Foster Cooperative & Productive Relationships in the community, with Linn County, State and Federal Agencies.*
- **Water Rights**
 - *Explore Possible Water Source Options.*
 - *Continually work on perfecting Water Rights.*
- **Economic Development Plan**
 - *Participate in Regional Efforts & Opportunities.*
 - *Work on Economic Analysis & Land Inventory.*
- **Community Development Plan**
 - *Refine Zoning Rules & Requirements.*
 - *Consider & Adopt New Policies & Standards.*
 - *Emergency Preparedness Planning.*
 - *Support Youth Activities in Cooperation with CLRA.*
 - *Improve Partnerships with CLSD.*
- **Capital Improvements Plan**
 - *Plan & Construct Waterline Improvement Projects.*
 - *Plan & Construct Downtown Wastewater & Stormwater Improvements.*
- **Organizational Development**
 - *Continue Developing an Effective Working Relationship between Council & Staff.*
 - *Focus on Council Leadership Development.*



GOALS PROGRESS UPDATE

1. Focus on the Fundamentals.

- *Protect & Manage Brownsville's Treasury.*
- *Foster Cooperative & Productive Relationships in the community, with Linn County, State & Federal Agencies.*

Plan: Staff will continue to work diligently with the annually adopted budget to ensure financial and infrastructure vitality. Staff will honor the necessary parameters to keep rates as low as possible while providing services effectively. Staff will execute the planned projects found in the FY 2017-2018 budget as time and priority allow.

Staff will bid, construct and complete the Main Street and Robe Street Waterline Projects. Staff will plan for and execute the engineering for the redevelopment of sewer lines in Old Town Commercial and determine appropriate construction schedule depending on overall costs.



2017-2018 Council Goals

Staff will continue to strive for excellence in all relational aspects of service delivery. Mr. McDowell will complete his service on the State's OPRD Grant Advisory Committee in 2017. McDowell will continue to be involved with the Visit Linn Coalition (VLC), the Ford Foundation's Go Team Effort, the Solid Waste Advisory Committee (SWAC), the Linn County Sheriff's Office (LCSO) Joint Cities Coalition, City/County Insurance Services (CIS), International City Management Association (ICMA), Oregon City/County Management Association (OCCMA) and the League of Oregon Cities (LOC) as needed. Mr. Frink works with various groups including 811.

Staff is also very involved at a local level. McDowell serves on the Board of Directors for the Chamber of Commerce and attends other civic organization meetings as requested or required. Mayor Ware serves on the Central Linn Community Foundation and the Lions Club to name two. Administrative Assistant Elizabeth Coleman serves on the Sharing Hands Board. Councilor Chambers serves on the Linn County Pioneer Picnic Association Board. Councilor Shepherd serves on the Canal Company Board and several Councilors serve on various boards and committees for the City including the Central Linn Recreation Association (CLRA) and the Cascade West Council of Governments (COG).

April 2018 Update: The Cascade West Council of Governments is actively working on a policy advocacy agenda for the upcoming session in 2019.

Council will be hosting a Town Hall meeting as part of a Council meeting to discuss the current condition of the structures in Pioneer Park and the Central Linn Recreation Center. Inspections Unlimited completed their report recently.

Staff is working on several administrative projects for the end of the fiscal year including a water line reconstruction project on Robe Street, website redevelopment, new general ledger and utility billing software among other projects.

McDowell continues to serve of the SWAC which recently worked on recycling issues. A meeting in late May will determine how the County decides to handle new restriction created by China.

Council is awaiting a response for the Brownsville Canal Company regarding the operation of the pumps for the Mill Race.

January 2018 Update: Staff will be racing to June to complete several projects including a website redesign, new software selection & implementation and working on the land use inventory project and consider fiber optic internet options to name a few. Recent developments around marijuana still take a lot of time away from other priorities.

City Administrator S. Scott McDowell is involved in a regional policy advocacy movement with the Cascade West Council of Governments. Many positive things are happening around this effort. Mayor Ware & COG's Executive Director Fred Abousleman have been in communication with local, state representatives about this new approach and they are interested as well. McDowell is still working on regional economic development issues which are a part of the Go Team/RLED effort. Recently, McDowell resigned from the OPRD Grant Advisory Committee citing personal reasons. McDowell is also serving in an advisory role to the Chamber of Commerce's Board of Directors instead of being a director.

Council will be hosting a town hall style meeting to discuss the future of Pioneer Park and the Central Linn Rec Center. The structures are in need of attention if they are to last another 25 years. Council hopes, through a series of meetings and maybe a subcommittee, to develop a plan



2017-2018 Council Goals

for lasting improvements. Staff has secured nearly all agreements from community partners for the upcoming event season in Pioneer Park.

2. Water Rights.

- *Explore Possible Water Source Options.*
- *Continually work on perfecting Water Rights.*

Plan: The City will continue exploring additional resources such as procurement of upstream water rights and other possibilities that exist in other areas around Brownsville. Staff will continue to work with City Engineer Jon Erwin and City Attorney Rolfe Wyatt on issues as they arise through the State Legislature and other agencies of the State. Council recognizes water as the City's most precious resource.

April 2018 Update: Staff will be working with Mr. Erwin to transition to another City Engineer over the next few months. Mr. Erwin will retire soon. He has served the City for nearly twenty-five (25) years.

January 2018 Update: City Engineer Jon Erwin, Public Works Superintendent Karl Frink and City Administrator Scott McDowell have been working on various letters received from Oregon Water Resources Department. Staff has not had time to review the procurement of any upstream water rights to date, but is still interested in pursuing any opportunities that may be there for the City.

3. Economic Development Plan.

- *Participate in Regional Efforts & Opportunities.*
- *Work on Economic Analysis & Land Inventory.*

Plan: Continue working with Rural Linn communities and the Ford Foundation on economic development efforts. The Go Team continues to forward their proposal and spur conversations with other groups doing economic development in the County and the region. Continue working with the Brownsville Chamber of Commerce, Visit Linn Coalition and the Bi-Mart Willamette Country Music Festival to help drive opportunity for local businesses.

Definition: The two chief focuses of Economic Development are 1) retaining existing business and 2) attracting new business.

The City will budget for procedures required by the Department of Land Conservation & Development (DLCD) in order to possibly expand areas for commercial and light industrial development. The City will also be including additional residential land if possible.

April 2018 Update: Many meetings have been happening locally for a regional effort. The group will be meeting with the Cascade West Council of Governments soon to determine the COG's involvement with the group and how economic development will work in the future. The City is currently working on being included in an enterprise zone resolution which will provide certain tax incentives to possible job creators. Council should see this legislation in May.

Brownsville was part of a successful grant opportunity through the State of Oregon, which included Lebanon, Sweet Home, Halsey, Harrisburg, Adair Village, Philomath & Monroe. Policy Advocacy



2017-2018 Council Goals

is moving at the Cascade West Council of Governments and developments are progressing on addressing bureaucratic responses from the State.

Dollar General has finished and are planning a Grand Opening. A few new businesses have opened this year and are doing well downtown. Several residential developments are in the planning and construction phase as the market continues to thrive.

January 2018 Update: City Administrator Scott McDowell has been working with regional partners to advance common economic development goals. The effort is from the Council supported Go Team/RLED effort as mentioned above. Staff is also working on the initial data for the buildable lands inventory. Council will have to budget over the next fiscal year to accomplish this goal. The future of Brownsville depends on developable land. The City is nearly out of Volume Commercial and Light Industrial options for potential businesses. Council voted unanimously to move forward with a cooperative study by EcoNorthwest to possibly advance a regional approach.

4. Community Development Plan.

- *Refine Zoning Rules & Requirements.*
- *Consider & Adopt New Policies & Standards.*
- *Emergency Preparedness Planning.*
- *Support Youth Activities in Cooperation with CLRA.*
- *Improve Partnership with CLSD.*

Plan: Council would like to explore ways to positively affect community livability. Council will take a look at strengthening certain policies such as nuisance abatement, junk vehicles and public use of the right-of-way and others to achieve this goal. The City Administrator formed an ad hoc volunteer committee that continues to work on community emergency preparedness issues as defined by the Brownsville Municipal Code. Council continues to support the efforts of the CLRA. Organizational development pieces will still be important over the next two years due to the recent infusion of new members. Continue to work with the CLRA to develop and strengthen youth activities as a vibrant community amenity. Continue attempts to develop effective working relationship with the Central Linn School District (CLSD).

April 2018 Update: Council is currently considering several ordinances that were identified in March of 2017. The Central Linn School District Board recently sold the Blakely Avenue property to a group interested in using the property as a Christian school.

The EPC continues their work toward the goals established by Council.

January 2018 Update: Council will be reviewing several ordinances in January that were identified during the goal setting session last March. Council will make decisions on which items to move forward over the next few months.

The Emergency Preparedness Committee (EPC) exceeded their own expectations doing many things for community preparedness. Please refer to the report provided to Council in the November 28th, 2017 agenda packet. The EPC will be meeting in February to outline goals for 2018.

Councilor Shepherd, Administrative Assistant Elizabeth Coleman, Administrative Assistant Tammi Morrow and City Administrator Scott McDowell met with the Central Linn School District Board to get approval and outright ownership of the Central Linn Rec Center. The Board voted unanimously to remove the revision clause from the deed language. Superintendent Gardiner



2017-2018 Council Goals

facilitated nicely during this process. Council is currently in the process of reviewing all of the structures to determine need at the Rec Center and Pioneer Park. Council will be meeting with community partners to make future plans for the facilities.

5. Capital Improvements Plan.

- *Plan & Construct Waterline Improvement Projects.*
 - Plan & Construct Main Street Waterline Replacement.
 - Plan & Construct Robe Street Waterline Replacement.
- *Plan & Construct Downtown Wastewater & Stormwater Improvements.*
 - Develop Plan for Collection System replacement.

Plan: Council will attempt to complete two waterline projects that were too expensive to complete as part of the 2015 Water System Improvements project. Council will be planning for the wastewater concerns in downtown Brownsville.

April 2018 Update: Council authorized a contract and agreement with The Dyer Partnership Engineers & Planners, Inc. to work on the Robe Street water line project. Staff is working on completing street improvements as well as looking at a solution for the bridge at the cemetery.

January 2018 Update: Public Works Superintendent Karl Frink and City Administrator Scott McDowell did not recommend the downtown sanitary sewer project due to the projected costs associated with the reconstruction. The City simply did not have the money. The Main Street waterline was also put off due to costs. The City has budgeted enough to possibly complete the Robe Street waterline project, but a few logistical issues are still presenting challenges.

6. Organizational Development.

- *Continue Developing an Effective Working Relationship between Council & Staff.*
- *Focus on Council Leadership Development.*

Plan: Council recognizes the need for additional training & development. Council will continue to improve in two ways, 1) collectively through regular group discussions and evaluations, and 2) executing their individual roles as community leaders. Council will look at new ways to work together to accomplish shared organizational goals and address community issues with Staff.

April 2018 Update: Council discussed meeting conduct and operational ways to better handle situations as they arise during public meetings.

January 2018 Update: Council should consider holding a work session to discuss recent developments and plan for certain pressing issues that are putting a strain on City Hall. Council could discuss positive ways to impact the community on a number of issues and refocus a few of the goals. November will be a big election for the City and Council should be prepared.



Where Council left off...

Marijuana Conversation & Next Steps

Completed

1. Council passed Ordinance 770 which allows the City to cite marijuana nuisances into Brownsville Municipal Court. The ordinance allows for fines to be levied against a property owner or responsible party creating a nuisance.

In Process

2. Mayor Ware & City Administrator Scott McDowell met with Linn County. The City need to provide Linn County with a new proposed Urban Growth Boundary (UGB) map. Planning Consultant Dave Kinney is currently working on this map.

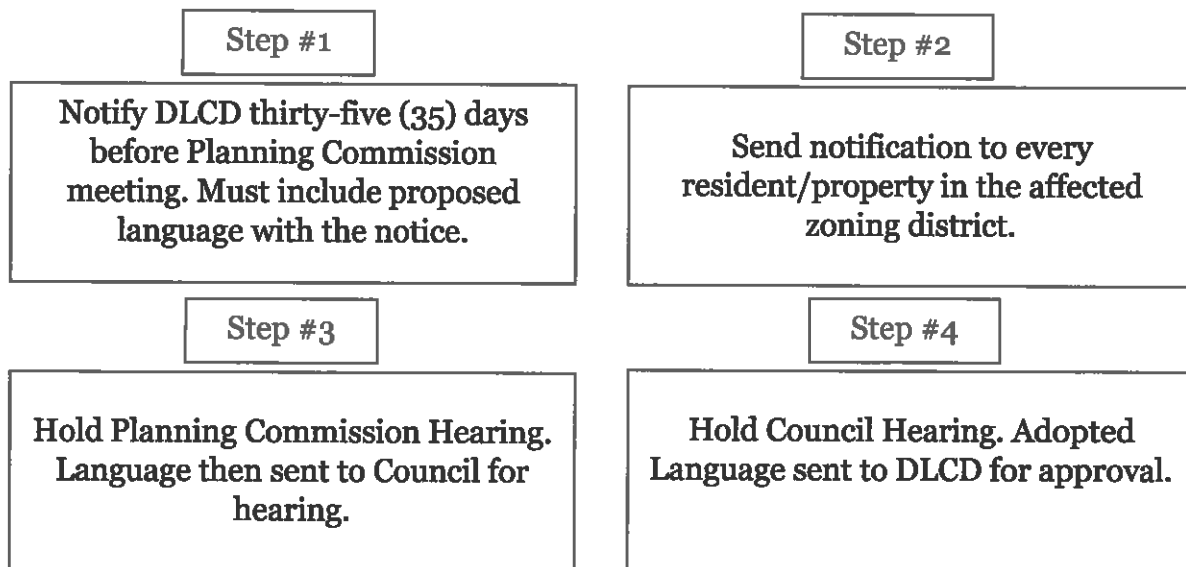
Pending Council Decision

3. Council asked City Administrator Scott McDowell to proceed with a Measure 56 effort to add regulations to the City Code for allowed marijuana uses.

Components included:

- A. Adopt Guidelines for Future Marijuana Processors/Retailers/Wholesalers/Medical Facilities.
- B. Setbacks. *(See Below)*
- C. Recreational Plant Limits per Residence. *(See Below)*
- D. Medical Plant Limits per Residence. *(See Below)*
- E. Scalable Property Sizes. *(See Below)*

The Measure 56 process involves four steps as follows:



Items 3. B. - E. are legal requirements that the City of Brownsville cannot effectively regulate given State Law requirements and the current zoning of Brownsville. State Law has limits on recreational marijuana (ORS 475B.301(1)) that would provide some limitations, but the OMMP allows many plants. I have enclosed the matrix from OMMP so you can see first-hand the confusion generated by this law.



OR

- ▶ Council prepares a ballot question for the November 2018 General Election to vote again on marijuana uses. If the citizens voted against these uses, the ordinance would not be needed. Current facilities would be allowed to continue operating.

City of Brownsville
Health
Authority

OMMP Plant Limits

| Who/What | Amount | Additional Requirements/Information |
|---|---|--|
| Patient and caregiver may jointly possess | No more than: <ul style="list-style-type: none"> • 6 or fewer mature plants • 12 or fewer immature plants¹ | |
| Grow site address that is patient's residence where patient or caregiver is designated grower | No more than: <ul style="list-style-type: none"> • 6 or fewer mature plants per patient • 12 or fewer immature plants per patient | <ul style="list-style-type: none"> • 4 recreational plants may be grown if non-cardholder lives at address, but still cap of 12 mature plants. • No more than 12 mature plants and 24² immature plants max no matter the amount of patients. • No size definition on these immature plants. • A grow site in this category cannot qualify for a grandfathering. |
| PRMG at grow site within city limits & zoned residential | No more than: <ul style="list-style-type: none"> • 12 mature plants • 24 immature plants over 24 inches high Unlimited number of immature plants less than 24 inches high ³ | <ul style="list-style-type: none"> • A household at a grow site in this category is permitted to have 4 recreational plants in addition to the medical marijuana plants. |
| PRMG at grow site registered before 1/1/15 & within city limits & zoned residential (grandfathered grow site) | No more than: <ul style="list-style-type: none"> • 12-24 mature plants • 48 immature plants over 24 inches high Unlimited number of immature plants less than 24 inches high ⁴ | <ul style="list-style-type: none"> • In order for a grow site to be considered "grandfathered" it must meet certain criteria and be approved by OHA. • A household at a grow site in this category is permitted to have 4 recreational plants in addition to the medical marijuana plants. |
| PRMG at grow site outside city limits or inside city limits but not zoned residential: | No more than: <ul style="list-style-type: none"> • 48 mature plants • 96 immature plants over 24 inches high Unlimited number of immature plants less than 24 inches high ⁵ | <ul style="list-style-type: none"> • A household at a grow site in this category is permitted to have 4 recreational plants in addition to the medical marijuana plants. |

| Who/What | Amount | Additional Requirements/Information |
|--|--|--|
| PRMG at grow site registered before 1/1/15 & outside city limits or inside city limits but not zoned residential (grandfathered grow site) | No more than: <ul style="list-style-type: none"> • 48-96 mature plants • 192 immature plants over 24 inches high Unlimited number of immature plants less than 24 inches high ⁶ | <ul style="list-style-type: none"> • In order for a grow site to be considered "grandfathered" it must meet certain criteria and be approved by OHA. • A household at a grow site in this category is permitted to have 4 recreational plants in addition to the medical marijuana plants. |

NOTES:

- Changes to plant limits were made under HB 2198, section 11, passed during the 2017 legislative session (effective 8/2/17).
- If the registration of a PRMG that was grandfathered under ORS 475B.428(3)(b) or (4)(b) is suspended or revoked and they re-register, no more than 12 mature plants and no more than 24 immature plants more than 24 inches in height may be subsequently produced at any address within city limits and zoned residential.
- If the registration of a PRMG that was grandfathered under ORS 475B.428(3)(b) or (4)(b) is suspended or revoked and they re-register, no more than 48 mature plants and no more than 96 immature plants more than 24 inches in height may be subsequently produced at any address outside city limits or not zoned residential.

¹ HB 2198, Sec. 11, amending ORS 475B.428(1)(a).² HB 2198, Sec. 11, amending ORS 475B.428(1)(b).³ HB 2198, Sec. 11, amending ORS 475B.428(3)(a).⁴ HB 2198, Sec. 11, amending ORS 475B.428(3)(b).⁵ HB 2198, Sec. 11, amending ORS 475B.428(4)(a).⁶ HB 2198, Sec. 11, amending ORS 475B.428(4)(b).



POSSIBLE CODE LANGUAGE:

940.400 Marijuana production & processing

(A) Marijuana production is limited to the Heavy Industrial (HI) and Light Industrial (LI) zoning districts and shall be subject to the following standards and criteria:

- 1) **Minimum lot size.** The subject property shall be a minimum of two acres, except that if outdoor production is proposed, the subject property shall be a minimum of five acres.
- 2) **Setbacks.** Outdoor production, as defined in LCC 920.100(B)(204), shall be a minimum of 100 feet from all property lines. Any structure used for indoor production, as defined in LCC 920.100(B)(147), shall comply with the structural setback standards of the underlying zone or be located a minimum of 100 feet from an existing dwelling that is not located on the same property as marijuana production use, whichever is greater.
- 3) **Access.** The subject property shall have frontage on, and direct access from, a constructed public, county, or state road, or take access on an exclusive road or easement serving only the subject property. However, the easement standard will be waived if the property takes access via a private road or easement which also serves other properties and evidence is provided by the applicant, in the form of a petition, that all other property owners who have access rights to the private road or easement agree to allow the specific marijuana production described in the application. Such evidence shall include any conditions stipulated in the agreement.
- 4) **Lighting.** Lighting shall be regulated as follows: Light cast by light fixtures inside a building used for marijuana production shall not be visible outside the building between the hours of 7:00 p.m. to 7:00 a.m., except for the months of June, July and August, where light cast by light fixtures inside a building used for marijuana production shall not be visible outside the building between sunset and sunrise.
 - a. Outdoor marijuana grow lights shall not be illuminated from 7:00 p.m. to 7:00 a.m., except for the months of June, July and August, where outdoor marijuana grow lights shall not be illuminated between sunset and sunrise.
 - b. Light cast by exterior light fixtures other than marijuana grow lights (e.g., security lights, driveway lights) shall not be directed skyward and shall be directed within the boundaries of the subject property.
- 5) **Odor.** As used in this section, building means the building, or portion thereof, used for indoor production. This section does not apply to a building approved as part of outdoor production, as defined in LCC 920.100(B)(204).
 - a. The building shall be equipped with an activated carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter.
 - b. The filtration system shall consist of one or more fans and activated carbon filters. At a minimum, the fan(s) shall be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.



- c. The filtration system shall be maintained in working order and shall be in use. The filters shall be changed a minimum of once every 365 days.
 - d. Negative air pressure shall be maintained inside the building.
 - e. Doors and windows shall remain closed, except for the minimum length of time needed to allow people to ingress or egress the building.
 - f. The filtration system shall be designed by a mechanical engineer licensed in the State of Oregon. The engineer shall stamp the design and certify that it complies with LCC 940.400(A)(5).
 - g. An alternative odor control system is permitted if the applicant submits a report by a mechanical engineer licensed in the State of Oregon demonstrating that the alternative system will control odor as well or better than the activated carbon filtration system otherwise required.
- 6) **Noise.** The applicant shall submit a noise study by an acoustic engineer licensed in the State of Oregon. The study shall demonstrate that generators as well as mechanical equipment used for heating, ventilating, air conditioning, or odor control will not produce sound that, when measured at any property line of the subject property, exceeds 50 dB(A).
- 7) **Security Cameras.** If security cameras are used, they shall be directed to record only the subject property and public right-of-way, except as required to comply with licensing requirements of the Oregon Liquor Control Commission (OLCC) or registration requirements of the Oregon Health Authority (OHA).
- 8) **Water.** The applicant shall submit:
- a. A water right permit or certificate number for the proposed marijuana production;
 - b. A statement that water is supplied from a public or private water provider, along with the name and contact information of the water provider; or
 - c. Proof from the Oregon Water Resources Department that the water to be used for marijuana production is from a source that does not require a water right.
- 9) **Waste Management.** Marijuana waste shall be stored in a secured waste receptacle in the possession of and under the control of the OLCC licensee or OHA registrant. Outdoor storage of marijuana waste is prohibited. Marijuana waste burning is prohibited. No outdoor storage of marijuana in any form, including remnants, by-products, and waste is allowed.
- 10) **Fencing.** Fencing, walls, or other barriers, as required by state law, shall not be constructed of temporary materials such as plastic sheeting, hay bales, tarps, etc. Fencing shall not be electrified, use barbed wire, razor wire, concertina coils, anti-climb spikes or any other similar security feature designed to discourage ingress through the potential of causing bodily harm. All marijuana processing shall be located entirely within one or more completely enclosed buildings. No on-site retail sales are allowed.
- 11) **Survey.** Pursuant to OAR 845-025-1030(4)(c), a survey prepared by an Oregon licensed surveyor that accurately reflects the property lines of the subject property is required to be submitted as part of an application for outdoor marijuana production. The survey is required in order to ensure that the outdoor marijuana production operation is located entirely on the subject property and does not encroach onto adjacent properties.
- ▶ Marijuana production is subject to the size limitations found in OAR 845-025-2040.

Proposed Code Language



- ▶ Marijuana production shall be subject to a Type IIA site plan review per LCC 921 .080(B)(13).

940.600 Marijuana wholesaling

(A) Marijuana wholesaling shall be subject to the following standards and criteria:

1. **Odor.** As used in this section, building means the building, or portion thereof, used for wholesaling.
 - a. The building shall be equipped with an activated carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter.
 - b. The filtration system shall consist of one or more fans and activated carbon filters. At a minimum, the fan(s) shall be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.
 - c. The filtration system shall be maintained in working order and shall be in use. The filters shall be changed a minimum of once every 365 days.
 - d. Negative air pressure shall be maintained inside the building.
 - e. Doors and windows shall remain closed, except for the minimum length of time needed to allow people to ingress or egress the building.
 - f. The filtration system shall be designed by a mechanical engineer licensed in the State of Oregon. The engineer shall stamp the design and certify that it complies with LCC 940.400(A)(5). An alternative odor control system is permitted if the applicant submits a report by a mechanical engineer licensed in the State of Oregon demonstrating that the alternative system will control odor as well or better than the activated carbon filtration system otherwise required.
2. **Noise.** The applicant shall submit a noise study by an acoustic engineer licensed in the State of Oregon. The study shall demonstrate that generators as well as mechanical equipment used for heating, ventilating, air conditioning, or odor control will not produce sound that, when measured at any property line of the subject property, exceeds 50 dB(A).
3. **Security Cameras.** If security cameras are used, they shall be directed to record only the subject property and public right-of-way, except as required to comply with licensing requirements of the Oregon Liquor Control Commission (OLCC).
4. **Waste Management.** Marijuana waste shall be stored in a secured waste receptacle in the possession of and under the control of the OLCC licensee. Outdoor storage of marijuana waste is prohibited. Marijuana waste burning is prohibited.

(B) Marijuana wholesaling is not authorized in the Exclusive Farm Use (EFU) and Farm/Forest (F/F) zoning districts, other than wholesale farm product sales allowed under the definition of farm use in LCC 920.100(B)(105). Wholesale establishments in the EFU, F/F, and FCM zoning districts shall be subject to a Type IIA site plan review per LCC 921 .080(B)(13).

- ▶ Wholesaling may be allowed for recreational marijuana only.
- ▶ Wholesale of marijuana to the general public is prohibited.



A sample of usable recreational marijuana or a cannabinoid product, concentrate, or extract may be provided to a marijuana wholesaler, retailer, or processor licensee for the purpose of licensee determining whether to purchase the product. The product may not be consumed on the property.

940.700 Marijuana retailing

(A) Marijuana retailing shall be subject to the following standards and criteria:

1. **Hours:** A marijuana retailer may only sell to consumers between the hours of 10:00 a.m. and 8:00 p.m. and may only permit consumers to be present in the building space occupied by the marijuana retailer between the hours of 10:00 a.m. and 8:00 p.m.
2. **Odor:** As used in this section, building means the building, or portion thereof, used for marijuana retailing.
 - a. The building shall be equipped with an activated carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter.
 - b. The filtration system shall consist of one or more fans and activated carbon filters. At a minimum, the fan(s) shall be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.
 - c. The filtration system shall be maintained in working order and shall be in use. The filters shall be changed a minimum of once every 365 days.
 - d. Negative air pressure shall be maintained inside the building.
 - e. Doors and windows shall remain closed, except for the minimum length of time needed to allow people to ingress or egress the building.
 - f. The filtration system shall be designed by a mechanical engineer licensed in the State of Oregon. The engineer shall stamp the design and certify that it complies with LCC 940.700(A)(2).
 - g. An alternative odor control system is permitted if the applicant submits a report by a mechanical engineer licensed in the State of Oregon demonstrating that the alternative system will control odor as well or better than the activated carbon filtration system otherwise required.
3. **Window Service:** The use shall not have a walk-up window or drive-thru window service.
4. **Security Cameras.** If security cameras are used, they shall be directed to record only the subject property and public right-of-way, except as required to comply with licensing requirements of the OLCC or registration requirements of the OHA.
5. **Waste Management:** Marijuana waste shall be stored in a secured waste receptacle in the possession of and under the control of the OLCC licensee or OHA registrant. Outdoor storage of marijuana waste is prohibited. Marijuana waste burning is prohibited.
6. **Minors:** No one under the age of 21 shall be permitted to be present in the building space occupied by the marijuana retailer, except as allowed by state law.
 - a. **On-site Consumption:** Marijuana and tobacco products shall not be smoked, ingested, or otherwise consumed in the building or on the property occupied by a marijuana retailer.



7. **Minimum Separation Distances:** Minimum separation distances shall apply as follows:
 - a. The use shall be located a minimum of:
 - (i) 1,000 feet from a public elementary or secondary school for which attendance is compulsory under ORS 339.020, including any parking lot accessory to and any property used by the school; or a private or parochial elementary or secondary school, teaching children as described in ORS 339.030(1)(a), including any parking lot accessory to and any property used by the school;
 - (ii) 1,000 feet from a public park, public playground, government-owned recreational use, public library, licensed treatment center, light rail transit station, or a multifamily dwelling owned by a public housing authority; 1,000 feet from a licensed daycare facility or licensed preschool, including any parking lot accessory to and any property used by the daycare facility or preschool;
 - (iv) 1,000 feet from a church, including any parking lot accessory to and any property used by the church;
 - (i) 100 feet from a residentially zoned property; however, this provision shall not apply if the subject property has street frontage on a principal interstate, principal expressway, principal arterial, or major arterial, as identified in the Linn County Transportation System Plan.
 - b. Pursuant to ORS 475B.340, a marijuana retail facility shall be located a minimum of 1,000 feet from any other marijuana retailer.
8. Pursuant to ORS 475B.450, a medical marijuana dispensary shall be located a minimum of 1,000 feet from any other medical marijuana dispensary.
9. For purposes of LCC 940.700(A)(8)(a), distance shall be measured from the lot line of the affected property (e.g., a school) to the closest point of the building space occupied by the marijuana retailer. For purposes of LCC 940.700(A)(8)(b) and (c), distance shall be measured from the closest point of the building space occupied by one marijuana retailer to the closest point of the building space occupied by the other marijuana retailer.
10. LCC 940.700(A) does not apply to any medical marijuana dispensary that applied for a registration with the OHA and has subsequently obtained land use approval to operate the facility on or before the adoption date of this Chapter.
11. A change in use (including a zone change) on another property to a use identified in LCC 940.700(A)(8) after a complete application for a marijuana retailing facility has been filed shall not result in the marijuana retailer being in violation of LCC 940.700(A)(8).
12. In case of a conflict under LCC 940.700(A)(8)(b) and (c), any person who has received approval to establish a marijuana retailing facility, shall be deemed to have established marijuana retailing at the approved location, so long as the marijuana retailer begins operation within one year of the date of the County's final decision on the land use application. If more than one application is in process with the County at one time, the County shall issue decisions in the order in which complete applications were filed and deemed complete.

940.900 Approval period

1. Approval of a permit pursuant to LCC Chapter 940 is valid for two (2) years from the date of the final decision. If the County's final decision is appealed, the approval period shall commence on

Proposed Code Language



the date of the final appellate decision. During this two-year period, the approval shall be implemented, or the approval will become void.

- b. Implemented as it applies to marijuana production and processing means all major development permits shall be obtained and maintained for the approved use. If no major development permits are required to initiate the permitted use, implemented means all other necessary County development permits (e.g., grading permit, building permit for an accessory structure) shall be obtained and maintained. A major development permit is:
 - i. A building permit for a new primary structure that is part of the approved development; or a permit issued by the County for parking lot or road improvements required by the approved development.
- c. Implemented as it applies to retailing, wholesaling, research and testing means that the facility has begun operation and is open for consumer business. Notwithstanding the two-year implementation period, a complete application for a marijuana retailing, wholesaling, research or testing license shall be filed with the Oregon Liquor Control Commission, or a complete application for a medical marijuana dispensary registration shall be filed with the Oregon Health Authority, within three months of the date of the County's final decision, or the approval will become void.

ERWIN CONSULTING ENGINEERING, LLC

33923 BOND ROAD • LEBANON • OREGON • 97355

April 13, 2018

City of Brownsville
PO Box 188
Brownsville, OR 97327

Attn: Mr. Scott McDowell
RE: City Engineer Resignation

Dear Scott,

It is with a heavy heart that as of May 25, 2018, I will be retiring as City Engineer for the City of Brownsville. Serving Brownsville since 1995 has been a pleasure and I have enjoyed working with the City resolving their engineering challenges.

I would like to thank the City Council and City Staff for their help and support during my tenure with Brownsville. It has been a remarkable experience and I feel we worked well as a team to resolve many problems encountered during the past 25 years.

The business will be closed and our home/business office put on the market for sale. My wife and I will be moving to northeast Oregon to our home in Wallowa County. I will send you my contact information once we have established ourselves. Feel free to contact me if you have any questions.

Once again, it has been a pleasure and honor serving the City of Brownsville.

Respectfully Submitted,

ERWIN CONSULTING ENGINEERING, LLC



Jon E. Erwin, P.E.

RECEIVED
City of Brownsville
APR 16 2018

Clerk _____



www.ci.brownsville.or.us

City Hall
255 N. Main Street • P.O. Box 188
Brownsville, OR 97327 • 541.466.5666
Fax 541.466.5118 • TT/TDD 800.735.2900

April 9th, 2018

Ram Trucking, Inc.
27057 Weber Road
P.O. Box 398
Brownsville, OR 97327

Re: Donation of Office Cubicles

Dear Dale and Crew,

Thank you so much for your donation of the office cubicles to the City of Brownsville.

The City will have plenty of opportunity to utilize this valuable donation in several locations. City Staff works very hard and takes great pride in our City and making sure that our buildings and offices are looking their best. Thank you for helping us do just that! We appreciate you making the effort to deliver the equipment to us as well.

It is certainly community partners like you that make our community such a wonderful place to live and work.

We truly appreciate your generosity and community support!

Sincerely,

A handwritten signature in black ink, appearing to read "SM", is written over a faint circular stamp.

S. Scott McDowell
City Administrator

c: Mayor Ware
Council
File



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City Hall
255 N. Main Street • P.O. Box 188
Brownsville, OR 97327 • 541.466.5666
Fax 541.466.5118 • TT/TDD 800.735.2900

April 10th, 2018

Department of Environmental Quality

Attn: Priscilla Woolverton, *Upper Willamette TMDL Basin Coordinator*

165 E. 7th Ave., Ste. 100

Eugene, OR 97401-3049

541.687.7347

RE: Annual Report Follow-Up

Dear Ms. Woolverton,

Enclosed you will find Brownsville's follow-up report from the earlier submission of the annual TMDL Report. Council unanimously approved the report enclosed at the March 27th, 2018 Council meeting. Council and I cannot stress enough that the City is doing everything we can to meet every regulation and requirement the State and Federal governments require; a task which is endless and thankless.

The real world problem that seems to somehow escape both levels of government is that our City, and many others cities, has a large population of low to moderate income citizens and the associated resources with running essential services such as water and sewer are very costly thanks to the endless regulations promulgated through the U.S. Environmental Protection Agency. Brownsville has been the second highest taxed City in Linn County due to general obligation bonds that are required to pay for the Water Treatment Plant and Distribution System work completed in the late 1990's and the eight and a half million dollar (\$8,500,000) Wastewater System improvements completed a decade ago. The City has around seven hundred (700) utility customers to pay for these improvements which is why the City's taxes are so high.

The City of Brownsville already has over eighteen million (\$18,000,00) in capital infrastructure backlog.

Council and I have very limited funding resources and have had to deal with many emergency repair projects which is on-going. Currently, we are working on a substantial wastewater reconstruction project in downtown Brownsville that effects the daily lives of our businesses and citizens. We also have other major maintenance projects that require attention very soon. Council has to make difficult decisions each and every year to provide the level of service our citizens and constituents expect, but that fact and reality seems to be lost on Salem, the State bureaucracy and the Federal government.

It is completely unacceptable to Council to not count the efforts the Calapooia Watershed Council makes annually in our area unless we provide financial support. We have historically provided office space and many other resources to further their cause in this community. Is important that items are completed to improve water quality or that we pay? It feels like extortion and at the very least is overreach on the part of the Department of Environmental Quality. We are doing the best we can with this "voluntary program."

Sincerely,

A handwritten signature in black ink that reads "Don Ware" with a long horizontal flourish extending to the right.

Don Ware
Mayor

c: Council
Public Works Superintendent Karl Frink
City Administrator S. Scott McDowell

Oregon county, state clash over list of pot grow sites

ANDREW SELSKY, Associated Press



(AP Photo/Jae C. Hong, File)

SALEM, Ore. (AP) — A state agency has refused to provide a county sheriff and prosecutor in Oregon with a list of medical marijuana grow sites, marking the latest friction over marijuana between local and state officials.

On March 13, Oregon Health Authority official Carole Yann told Deschutes County District Attorney John Hummel and Sheriff Shane Nelson that the law doesn't permit the agency to provide the list.

Instead, local law enforcement — on a case-by-case basis — can verify the registration status of a site through a data base or call the medical marijuana program managed by Yann, she said.

On Thursday, Hummel and Nelson challenged that justification and said they need the list to help identify illegal grow sites.

"I respectfully suggest that providing Sheriff Nelson and I with the addresses of medical marijuana grow sites does not run afoul of Oregon statutory law," Hummel wrote to Yann in a letter that was also signed by Nelson.

On Tuesday, officials in another county sued the state in federal court, asserting that Oregon laws that made pot legal are pre-empted by a federal law that criminalizes it.

The Josephine County Board of Commissioners in December tried to ban or restrict commercial pot farming on rural residential lots, but the state Land Use Board of Appeals put the restrictions on hold.

The county has petitioned the Oregon Court of Appeals and sued in federal court.

The cases illustrate a continuing struggle by local, state and federal officials over legalization of marijuana in Oregon other states.

In ballot measures, Oregon voters legalized medical marijuana in 1998 and recreational cannabis in 2014. Some jurisdictions in Oregon were allowed to opt out of allowing recreational marijuana businesses.

Deschutes County, in the high desert and mountains of Central Oregon, decided in 2016 to allow them after previously banning them in unincorporated areas.

But county commissioners said this week they may try to prohibit new marijuana businesses until the rules are better enforced.

Hummel and Nelson complained in their Feb. 7 letter to the health authority, which regulates medical marijuana, that local law enforcement often can't tell whether medical marijuana grow sites are legal or illegal because the agency hasn't provided a list of authorized sites. They asked for a list of licensed medical growers.

Hummel said Thursday that state law doesn't prohibit the health authority from providing the list. He asked Yann to specify if the Legislature prohibits it, or if the health authority chose to require law enforcement to make case-by-case requests for information.

In their letter, Hummel and Nelson included a thumb drive containing every address in Deschutes County. They told Yann to verify whether each is a registered marijuana grow site.

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POLITICS LA TIMES

Trump administration abandons crackdown on legal marijuana



By EVAN HALPER
APR 13, 2018 | WASHINGTON



Marijuana on display at a dispensary in Los Angeles. The sale of recreational marijuana became legal in January. (Frederic J. Brown / AFP/Getty Images)



The Trump administration is abandoning a Justice Department threat to crack down on recreational marijuana in states where it is legal, a move that could enable cannabis businesses in California and other states that have legalized pot to operate without fear of federal raids and prosecution.

President Trump personally directed the abrupt retreat, which came at the behest of Republican Sen. Cory Gardner of Colorado. White House officials confirmed the policy shift Friday. Trump did not inform Atty. Gen. Jeff Sessions in advance of the change in policy, an almost unheard of undermining of a Cabinet official.

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Trump says he'll support protections for legal marijuana. Insiders react.

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Politicians and cannabis industry insiders, alike, were surprised Friday morning by Colorado Sen. Cory Gardner's announcement that he has struck a deal with President Donald J. Trump that would protect states' marijuana laws from federal interference.

In a statement that summarized much of the reaction, Rep. Earl Blumenauer (D-OR), the co-founder of the Congressional Cannabis Caucus, in a statement called the announcement "another head spinning moment."

"We should hope for the best, but not take anything for granted. Trump changes his mind constantly, and Republican leadership is still in our way," he said. "Momentum is clearly building in the states and here in DC. The tide is changing. Now is the time to redouble our efforts."

He followed up with a tweet that asked, "can you feel the earth shifting for lasting marijuana reform??"

Colorado Rep. Jared Polis, a co-founder of the Congressional Cannabis Caucus expressed cautious optimism.

"I am cautiously optimistic that this announcement is a meaningful step forward for the states' rights and sensible marijuana policy," Polis said in a statement to The Cannabist. "This is the type of solution I have advocated for during my time in Congress, most notably with the McClintock-Polis amendment, which I have repeatedly offered to prevent the federal government from interfering with states that have legalized marijuana."

On the ground in Colorado, a state that blazed the trail in marijuana legalization, Gov. John Hickenlooper called the Gardner-Trump conversation a "reasonable and promising development."

"The Department of Justice will get far greater benefit per dollars spent by continuing to focus on major crimes such as heroin, meth and human trafficking," he said in a statement emailed to The Cannabist.

Mason Tvert, co-director of Colorado's Amendment 64 campaign and vice president of communications at VS Strategies, a Denver-based public affairs firm that specializes in the cannabis industry, expressed gratitude to Sen. Gardner for standing up for the state's residents.

“Colorado has taken great strides toward replacing the illegal marijuana market with a responsibly regulated system. It has been a long and difficult process, but we may now be seeing the light at the end of the tunnel. This is one more step toward ending the irrational policy of marijuana prohibition, not only in Colorado, but throughout the country,” he said in a statement.

Adam Eiding, the Washington, D.C. (and soon to be Maryland) legalization advocate behind the city’s Initiative 71, which legalized possession of up to two ounces of marijuana for residents and visitors, said the announcement ushered the movement into “a whole new world.”

“I think the president is desperate to recover in popularity and fulfilling campaign promise that cuts across party affiliation,” he told The Cannabist.

The moment, he hopes, will fire up the debate about what marijuana legalization should look like.

“This is good news for business,” he said pointing out the surge in cannabis stock prices Friday, “but will it be good news for consumers, patients, and individuals who just want the right to use their own cannabis?”

Joe Hodas, COO, General Cannabis Corp, a Denver-based holding company for multiple marijuana subsidiaries, said his reaction to the day’s developments wasn’t dissimilar to how he reacted to news in January that U.S. Attorney General Jeff Sessions was rescinding the Cole Memo.

“We listen, watch, and continue to do what’s right and compliant,” he told The Cannabist.

Andy Williams, Founder and President of Medicine Man Technologies, a publicly traded cannabis advisory and consulting firm, called out the work of conservative-leaning politicians and advocacy groups.

“Yet again, we see Senator Cory Gardner stepping up for Colorado and making a big impact on cannabis industry,” he said in a statement. “Kudos to the New Federalism Fund on the work they did to educate Republicans like Gardner on marijuana issues. The next step from here should be making law out of Cole memo, so it’s legislation instead of a referendum. I believe this also has potential to fix banking and 280e.”

The appreciation for conservative efforts to move Trump was echoed by Don Murphy, director of conservative outreach for the Marijuana Policy Project, who said that Gardner has done a great service for his constituents by standing up for federalism.

“Everyone who knew about President Trump’s statements on this issue during the campaign were hoping he would uphold those values and support states’ abilities to enact laws regulating marijuana for medical or adult use while in office,” he said. “This news should make states more comfortable implementing

their legalization programs. It should also serve as a rallying cry for lawmakers to pass comprehensive legislation that leaves marijuana policy to the states permanently.”

Kevin Sabet, the leader of SAM, a nonprofit group opposed to marijuana legalization, called the reported deal between the president and Gardner “ill-conceived and wrong.”

“SAM stands with virtually all major medical and law enforcement associations in condemning the use and legalization of marijuana. The black market does not honor states’ rights – it is thriving in Colorado and other legalized states,” Sabet said in an email to The Cannabist. “This is creating harms in all states, in the form of increased stoned driving fatalities, the increased prevalence of pot candies, and more crime. Senator Gardner is simply protecting special interests at the expense of public health. SAM will redouble its efforts and amplify the voices of millions of Americans who do not want their children exposed to increased drug use. We hope the president – who doesn’t want to be known as the ‘Pot President’ – will reverse course soon. This reckless plan will not go unanswered.”

Colorado occupations where people use the most cannabis

One problem is how occupations are categorized. Especially in tech, which is barely represented in this list. Where do the web designers, software engineers, database administrators, and all those newer internet era occupations fit? what? folks in tech don't count? We are the only one's who actually know how all this fancy stuff works. and many of us have been 'perma-stoned' since we started working on it all in the 90's, heck the internet was built on weed by stoned software engineers. Sometimes I think one has to be stoned in order to understand this complicated programming stuff. But bureaucrats who study occupations and all that are so behind the times, they don't even know how to properly categorize all the new 21st century professions. Which would all probably come in up with the Food service & artist/entertainment crowd, if placed properly on this list. Especially if it's a game development company, which, I gues could be part of 'entertainment'... or are all the internet/game dev people in Professional, Scientific, Technical Services?... Those 'researchers' more likely just plain bureaucrats, have ZERO clue what they are studying. marijuana, OR the current list of occupations. This entire thing is null and void due to extreme incompetence. Useless information cooked up by clueless people who just want to some justify their 'occupation'. But Public Administration is down at the bottom of their list at 5.8% cannabis enthusiasts. No clue what they are studying.

Forbes / Entrepreneurs / #Regulation

APR 13, 2018 @ 06:21 PM 47,640

The Little Black Book of Billionaire

Boehner And Trump And Cannabis, Oh My! Big Chan, Coming To Legal Marijuana



Julie Weed, CONTRIBUTOR

I cover the legal marijuana industry and its entrepreneurs FULL BIO ▾

Opinions expressed by Forbes Contributors are their own.



Greg James

Pickens Mountain Marijuana Farm

President Trump has confirmed a deal with Colorado Senator Cory Gardner to let

Colorado make its own cannabis legalization decisions in exchange for the Senator not holding up Department of Justice nominations. John Boehner joined the advisory board of a marijuana company, despite being anti-legalization when he was Speaker of the House in Congress. Pennsylvania recently said it will allow university hospitals to participate in clinical trials of cannabis.

Marijuana industry entrepreneurs are hoping they are on the cusp of a significant national transformation. These are “major breakthroughs” said Acreage Holdings chief executive Kevin Murphy. Acreage is the company Boehner joined, and it has ownership of marijuana growing, processing and retail facilities in eleven states.

Trump’s agreement to let Colorado, and presumably other states, decide on their own cannabis laws, goes directly against the actions of his attorney General Jeff Sessions. Sessions had rescinded the Cole memorandum which protected cannabis companies operating legally under their own state regulations from federal prosecution.

Previously, on the campaign trail, Trump had said he supported states' rights to create their own cannabis laws, and that he was in favor of medical marijuana legalization, but had not taken any actions in these areas. Instead, he had appointed an attorney general who was moving in the opposite direction.

Andy Williams, founder of Medicine Man Technologies a consulting company in the cannabis industry said, "The next step from here should be making law out of the Cole memo, so it's legislation instead of a referendum." He said this could also help address the significant lack of banking available to the multi-billion dollar industry, and the fact that business expenses, like equipment purchases, cannot be deducted by cannabis businesses.

Kris Krane, co-founder of 4Front which helps entrepreneurs pursue cannabis cultivation, retail distribution, production, technology, and other ancillary services said, it was encouraging that president Trump "has agreed to a legislative solution that would protect state legal cannabis businesses and uphold the overwhelming will of the voters in those states.”

Krane said he appreciated that Senator Gardner was making the defense of his state’s marijuana laws a priority for his federal agenda.

Former Massachusetts Governor Bill Weld and Former US House Speaker John Boehner, recently joined the advisory board of Acreage Holdings cannabis company. Boehner's views on de-scheduling the substance and its possibilities as a medicine changed as public opinion did, according to Weld. Press materials said he witnessed the positive effect of medical marijuana on a friend. (Boehner was not made available on the press call)

Weld said 94% of adults in the US believe medical marijuana should be legal. He said his function and Boehner's at Acreage Holdings would be "publicity and persuasion, not operational."

Acreage Holdings has already aligned with a university hospital in Pennsylvania to collaborate on cannabis research, but hasn't announced which one yet, said Murphy



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Cloudious9's "Hydrology" vaporizer

Julie Weed wrote the best-selling All I Really Need to Know in Business I Learned at Microsoft. Follow her on Twitter @julie_weed and at www.julieweed.net

Marijuana linked to 'unbearable' sickness across US as use grows following legalisation

Roni Caryn Rabin

By the time Thomas Hodorowski made the connection between his marijuana habit and the bouts of pain and vomiting that left him incapacitated every few weeks, he had been to the emergency room dozens of times, tried anti-nausea drugs, anti-anxiety medications and antidepressants, endured an upper endoscopy procedure and two colonoscopies, seen a psychiatrist and had his appendix and gallbladder removed.

The only way to get relief for the nausea and pain was to take a hot shower.

He often stayed in the shower for hours at a time. When the hot water ran out, “the pain was unbearable, like somebody was wringing my stomach out like a washcloth”, said Hodorowski, 28, a production and shipping assistant who lives outside Chicago.

It was nearly 10 years before a doctor finally convinced him that the diagnosis was cannabinoid hyperemesis syndrome, a condition that causes cyclic vomiting in heavy marijuana users and can be cured by quitting marijuana.

Until recently the syndrome was thought to be uncommon or even rare. But as marijuana use has increased, emergency room physicians say they have seen a steady flow of patients with the telltale symptoms, especially in states where marijuana has been decriminalised and patients are more likely to divulge their drug use to physicians.

“After marijuana was legalised in Colorado, we had a doubling in the number of cases of cyclic vomiting syndrome we saw,” many probably related to marijuana use, said Dr Cecilia J Sorensen, an emergency room doctor at University of Colorado Hospital at the Anschutz medical campus in Aurora, who has studied the syndrome.

Dr Eric Lavonas, director of emergency medicine at Denver Health and a spokesman for the American College of Emergency Physicians, said, “CHS went from being something we didn’t know about and never talked about to a very common problem over the last five years.”

In pictures: 4/20 Marijuana world rallies

Now a new study, based on interviews with 2,127 adult emergency room patients under 50 at Bellevue, a large public hospital in New York City, found that of the 155 patients who said they smoked marijuana at least 20 days a month, 51 heavy users said they had during the past six months experienced nausea and vomiting that were specifically relieved by hot showers.

Extrapolating from those findings, the authors estimated that up to 2.7 million of the 8.3 million Americans known to smoke marijuana daily or near daily may suffer from at least occasional bouts of CHS.

“The big news is that it’s not a couple of thousand people who are affected — it’s a couple of million people,” said Dr Joseph Habboushe, an assistant professor of emergency medicine at NYU Langone/Bellevue Medical Centre and lead author of the new paper, published in *Basic & Clinical Pharmacology & Toxicology*.

Others questioned the one-in-three figure, however. Paul Armentano, the deputy director for the National Organisation for the Reform of Marijuana Laws (NORML), said that even with more widespread use of marijuana, “this phenomenon is comparatively rare and seldom is reported” and strikes only “a small percentage of people”.

And several physicians who routinely prescribe medicinal marijuana for conditions ranging from chronic pain to epilepsy said they have not seen the cyclic vomiting syndrome in their patients, but noted that they typically prescribe compounds that are not designed to produce a high and contain very low amounts of the psychoactive ingredient THC.

Habboushe said doctors in other parts of the country may be unfamiliar with CHS or mistake it for a psychiatric or anxiety-related syndrome. And even if they are aware of it, many regard it as a “rare, kind of funny disease”, replete with anecdotes of patients who spend hours in the shower.

But the condition can be quite serious. A 33-year-old veteran who asked not to be identified described bouts of up to 12 hours in which he felt “like a puffer fish with sharp spikes was inflating and driving spikes into my spine from both sides. I’ve broken bones, and this blew it out of the water.”

Habboushe said, “I know patients who have lost their jobs, gone bankrupt from repeatedly seeking medical care, and have been misdiagnosed for years.”

“Marijuana is probably safer than a lot of other things out there, but the discussion about it has been so politicised and the focus has been on the potential benefits, without looking rigorously at what the potential downside might be,” he said. “No medication is free from side effects.”

Patients often arrive at the hospital severely dehydrated from the combination of hot showers and the inability to keep food or liquids down, and that can lead to acute kidney injury, said Habboushe.

But since many patients develop the syndrome only after many years of smoking pot, they don't make the connection with their pot habit and have a hard time accepting the diagnosis.

The confusion is understandable, Sorensen said. "Marijuana is viewed as medicinal, and it's given to people with cancer and Aids. People know it's used to help with nausea and stimulate the appetite, so it's difficult to get patients to accept that it may be causing their nausea and vomiting."

It's unclear why marijuana can produce such discordant effects in some users. Sorensen often tells patients that it's similar to developing an allergy to a favourite food.

Getting the right diagnosis often takes a long time. The average patient makes seven trips to the emergency room, sees five doctors and is hospitalised four times before a definitive diagnosis is made, running up approximately \$100,000 in medical bills, Sorensen's study found.

"They get really expensive workups, lots of CT scans and sometimes exploratory surgery" to rule out dangerous conditions like appendicitis or a bowel obstruction, Sorensen said. "At the end of the day they're told, 'You're smoking too much pot.'"

The symptoms of CHS often do not respond to drug treatment, though some physicians have had success with the antipsychotic haloperidol (sold under the brand name Haldol) and with capsaicin cream.

The good news is that CHS has a pretty simple cure: abstinence. The pain and vomiting episodes stop when patients quit smoking, experts say. If they start smoking again, they are likely to have a recurrence.

Hodorowski quit smoking once he accepted that marijuana was the cause of his problems, he said, adding that he was in denial for a long time. He's telling his story so others can learn from his experience.

"I hope they'll be honest with themselves so they don't have to go through what I've been through," he said. "I'm very lucky to have survived this."

The New York Times

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Supply and demand: Low inventory continues for hot mid-valley housing market | Local

KYLE ODEGARD Albany Democrat-Herald

The housing market soared in the mid-Willamette Valley in 2017 thanks to a continued trend of high demand and low inventory, and homes are more expensive than they've ever been.

Linn County saw the biggest gains locally, with an overall increase of nearly 15 percent, to \$243,000, on the average sales price of a home, according to the Willamette Valley Multiple Listing Service.

"There's not a lot available out there. ... It's going to be tight for a while until that inventory gets built," said Amy Price, principal broker for Coldwell Banker Valley Broker in Albany.

Benton County, which was more insulated from the recession and the housing bubble, saw a 7 percent climb for an average home price of \$359,000 in 2017, according to WVMLS figures.

"New housing certainly has helped (increase the average sales price of a home), but mostly it's pent-up demand," said Katherine Fisher, co-owner and managing principal broker for Town & Country Realty.

Because of the shortage, some houses are being purchased within days of being put up for sale, with multiple offers above the asking price, realtors said. And new houses can be bought before they're even built.

"We have a real lack of new inventory and a lot of people trying to move here," said Riley Nix, a broker for Balance Real Estate in Corvallis.

The sales price of a home climbed in every local area tracked by the WVMLS last year, whether small town or (relatively) big city.

In Albany, including North Albany, the average sales price jumped a whopping 19 percent to \$285,000 for 2017.

Lebanon and Sweet Home saw their average home sales price hit \$200,000 for the first time. In Lebanon, the price tag rose 17.5 percent to \$232,000. Sweet Home's average sales price increased 19.5 percent to just more than \$200,000.

Realtors said that Linn County was hammered hard by the recession and when the housing bubble burst, so its gains have been more substantial. Benton

County was more sheltered from those economic woes thanks to the continued expansion of Oregon State University and Samaritan Health Services.

Corvallis had an increase of 8 percent, to \$374,000, on the average home price in 2017, while Philomath saw gains of nearly 13 percent to \$330,000.

The five-year trend is even more impressive. From 2013 to 2017, the average sales price of a house jumped by 43 percent for Linn County, and by 27.5 percent for Benton County.

In 2013, the average price of a home in Albany was just under \$200,000. Last week, there were only seven houses for sale under that mark, Price said, describing the situation as “crazy.”

“It’s impossible to find something in that range. If you do, there are multiple offers for it,” she added.

However, things were even livelier early last year and in 2016, Fisher said. “It’s definitely a hot market, but it was truly on fire last year,” she added. “It’s a better time to enter as a buyer than it was a year ago.”

Buyers have tired of the “feeding frenzy” mentality, Fisher said, and there’s also more people willing to sell their houses because of the prices keep rising, leading to slightly more inventory.

Nix agreed that increased inventory, including new houses, has helped curbed a sense of desperation for buyers.

Roger Russell, a realtor for Heritage NW who lives in Brownsville, said prices are still increasing, but not as drastically. “It has somewhat leveled off,” he added.

As interest rates go up, prices will stabilize, as well, Russell said.

This time of year, however, isn’t as good of an indicator of the housing market as the late spring and summer, according to realtors. “We’ll really know in the next couple of months,” Nix said.

Realtors said they weren’t as concerned about a housing bubble bursting like a decade ago, in part because of stronger banking regulations. But financial institutions, leery of major losses in the recession, were also less likely to lend to construction firms building subdivisions, they said.

There has been plenty of building activity occurring in the mid-Willamette Valley in the last few years, however.

Price said that many new houses are out of the reach of long-time residents, though, as their price tags can be well above \$300,000.

In Albany, the city has issued 160 new home permits in 2017, slightly up from the average of 135 for the four years prior, according to city data.

Major subdivisions under various phases of review could also bring hundreds more homes to town, said David Martineau, city planner.

Corvallis hasn't had as much home building, with 62 single-family residence permits issued in 2017. That's just shy of the average of 65 home permits for the four previous years, according to city data.

Those figures for Corvallis represent an increase in construction, however. Between 2008 and 2011, for example, fewer than 40 homes were built each year in the Benton County seat.

But the uptick in home building in Corvallis and elsewhere hasn't matched the hot market.

"In order to keep up with demand, they should have been building at this pace for the last eight years," Nix said.

Brian Smith, city of Albany building inspector, was checking homes on Hummingbird Street on Friday morning. He said the current construction pace is like nothing he's ever seen before. Numerous homes also are being put up in nearby Millersburg, he added.

"They just can't build them fast enough," he said.

For the time being, the shortage will continue. And experts think higher home prices will continue into the spring and summer.

In February, the average price of a home over the past year was \$384,000 in Corvallis, up about \$10,000 from the end of 2017. Lebanon was up \$8,000 from two months prior, Sweet Home up \$7,000 and Philomath up about \$6,000. In Albany, the average price had risen only \$3,000 in the same time period.

"We're seeing solid, real consistent growth, not based on hocus-pocus," Nix said. "I think we're in for a real strong real estate market in the coming year. We really do live in a great place that people are moving to for all sorts of reasons."

Kyle Odegard can be reached at kyle.odegard@lee.net, 541-812-6077 or via Twitter @KyleOdegard.

Linn Court rejects HB 3078 sentencing guidelines | News

ALEX PAUL Albany Democrat-Herald

Linn County has become the fifth county in Oregon to successfully challenge a new state law — House Bill 3078 — that reduced mandatory sentences for the crimes of ID and first-degree theft.

The counties contend that HB 3078 was passed by the Legislature without a two-thirds majority vote, thereby making it unconstitutional.

On Tuesday, Linn County Circuit Court Judge Daniel Murphy sided with the Linn County District Attorney's Office, imposing a sentence greater than what would have been mandatory under HB 3078 due to the defendant's extensive criminal history.

The defendant's current charge was first-degree theft, stemming from a Nov. 25, 2016, incident that involved the theft of boots, a shirt and LED lights from a local department store. She was sentenced to 30 days in the Linn County Jail, plus probation. If she fails to remain crime-free, she would be sentenced to 18 months incarceration, not 13 months, as set under HB 3078.

According to Linn County District Attorney Doug Marteeny, in 1994, Oregon voters passed Ballot Measure 10, which placed in the state constitution a requirement that any bill to alter sentencing rules must pass by a two-thirds majority.

In 2008, Oregon voters also passed Ballot Measure 57, which set mandatory sentences for repeat property crime offenders.

But during the 2017 session, the Oregon Legislature passed HB 3078, which reduced the presumptive prison sentence for those involved in repeated ID theft and first-degree theft — which is the taking of items valued at \$1,000 or more.

"The measure did not obtain the required two-thirds majority vote in either house, yet despite that, Gov. Brown signed the statute into law," Marteeny said.

Marteeny is pleased with Judge Murphy's ruling.

"The Legislature must abide by the provisions of the constitution," he said. "It is that simple."

Assistant District Attorney Michael Wynhausen represented the state and said Linn County joins Clackamas, Umatilla, Washington and Lincoln counties in

challenging HB 3078.

Wynhausen said the court case involved a second charge of third-degree robbery, but that was not a part of the constitutional issue since it is not a crime included in HB 3078.

On March 30, the East Oregonian newspaper reported that Judge Dan Hill also found HB 3078 unconstitutional and sentenced a defendant to three years in prison plus probation. Under HB 3078, the disposition sentence would have been 13 months.

In February, a panel of three Clackamas County Circuit Court judges found HB 3078 unconstitutional, but the state Attorney General's Office said it would appeal that ruling.

The judges' ruling stemmed from a lawsuit filed in the fall of 2017 by Clackamas County District Attorney John Foote — who was acting as an individual and not in his official capacity — and two other plaintiffs.

The state's district attorneys had argued against HB 3078 as it made its way through the Legislature.

Proponents of the measure believed it would help reduce the number of Oregonians incarcerated for nonlethal crimes. They argued that other sentences such as probation, would also help keep families together.

The April 2018 Oregon Corrections Forecast notes that the current inmate population is 14,852. Due in part to HB 3078, the forecast is that inmate population will decrease to 14,650 in 2028, a decrease of 1.4 percent, even though the state's population is expected to grow by 12 percent.

Contact Linn County reporter Alex Paul at 541-812-6114.

New York Times highlights Oregon's PERS payments, woes

Jim Redden, The Portland Tribune

Oregon football coach Mike Belotti speaks during a Holiday Bowl luncheon aboard the USS Nimitz on Tuesday, Dec. 27, 2005. Belotti was one of 2 people highlighted in a NYT story on pensions on April 15, 2018. (AP Photo/Sandy Huffaker)



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Oregon football coach Mike Belotti speaks during a Holiday Bowl luncheon aboard the USS Nimitz on Tuesday, Dec. 27, 2005. Belotti was one of 2 people highlighted in a NYT story on pensions on April 15, 2018. (AP Photo/Sandy Huffaker)

PORTLAND, Ore. (PORTLAND TRIBUNE) -- The financial problems being caused by Oregon's lavish public employee retirement payments made the front page of Sunday's New York Times.

The April 15 story cited the high pensions being paid to retired OHSU President Joe Robertson and UO football coach Mike Bellotti to help explain why local governments are laying off employees and cutting service to pay for the increasing cost of the Public Employee Retirement System.

The article says that Robertson is being paid \$76,111 a month and Bellotti is receiving more than \$46,000 a month from PERS.

"That is considerably more than the average Oregon family earns in a year," the story says of Robertson payment.

According to the article, both payments are based in part on revenue the two men generated for their institutions before retiring. More than 2,000 retirees are already being paid over \$100,000 a year, a number that is expected to increase as more state workers retire.

The story is headlined, "Strange math leaves pensions in pinch of their own making." It also documents efforts to reduce pension costs passed by the Oregon Legislature that were struck down by the Oregon Supreme Court.

The article cites numerous examples of local governments cutting programs to raise money for mandatory PERS contributions that are growing faster than the recovering economy. They include Klamath Falls, which cut back on road and bridge maintenance when its biennial PERS payment recently increased \$600,000. The Beaverton School District got rid of 75 teachers last year when its contribution rose by \$14 million. And Josephine County has cut sheriff's patrols, closed its mental health department and kept its jail at least half capacity because of a shortage of guards.

And, the story says, the system is expected to continue until the current generation of retirees start dying. Newer employees are enrolled in a different program that pays less.

"Across Oregon, local officials have been told to brace for 15 to 20 more years of rising pension bills," says the story, which continues on a full page in the first section of the newspaper.

Other states with similar problems cited in the story include New Jersey, Kentucky and Connecticut.

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A \$76,000 Monthly Pension: Why States and Cities Are Short on Cash
<https://www.nytimes.com/2018/04/14/business/pension-financ...>

A \$76,000 Monthly Pension: Why States and Cities Are Short on Cash

Mary Williams Walsh

A public university president in Oregon gives new meaning to the idea of a pensioner.

Joseph Robertson, an eye surgeon who retired as head of the Oregon Health & Science University last fall, receives the state's largest government pension.

It is \$76,111.

Per month.

That is considerably more than the average Oregon family earns in a year.

Oregon — like many other states and cities, including New Jersey, Kentucky and Connecticut — is caught in a fiscal squeeze of its own making. Its economy is growing, but the cost of its state-run pension system is growing faster. More government workers are retiring, including more than 2,000, like Dr. Robertson, who get pensions exceeding \$100,000 a year.

The state is not the most profligate pension payer in America, but its spiraling costs are notable in part because Oregon enjoys a reputation for fiscal discipline. Its experience shows how faulty financial decisions by states can eventually swamp local communities.

Oregon's costs are inflated by the way in which it calculates pension benefits for public employees. Some of the pensions include income that employees earned on the side. Other retirees benefit from long-ago stock market rallies that inflated the current value of their payouts.

For example, the pension for Mike Bellotti, the University of Oregon's head football coach from 1995 to 2008, includes not just his salary but also money from licensing deals and endorsements that the Ducks' athletic program generated. Mr. Bellotti's pension is more than \$46,000 a month.

“You get to the point where you can no longer do more with less — you just have to do less with less,” Nathan Cherpeski, the manager of Klamath Falls, said. Credit Leah Nash for The New York Times

The bill is borne by taxpayers. Oregon's Public Employees Retirement System has told cities, counties, school districts and other local entities to contribute more to keep the system afloat. They can neither negotiate nor raise local taxes fast enough to keep up. As a result, pensions are crowding out other spending. Essential services are slashed.

“You get to the point where you can no longer do more with less — you just have to do less with less,” said Nathan Cherpeski, the manager of Klamath Falls, a city of about 21,000 in south-central Oregon.

Klamath Falls's most recent biennial bill from the pension system, known as PERS, was \$600,000 more than the one before. PERS has warned that the bills will keep rising. Mr. Cherpeski has had to cut back on repairing streets and bridges.

A \$76,000 Monthly Pension: Why States and Cities Are Short on Cash

<https://www.nytimes.com/2018/04/14/business/pension-financ...>

Even as the American economy is humming, many states and cities are still hurting from the 2008 financial meltdown. The crash hammered their pension funds and tax revenues, but didn't reduce the amounts they owe retirees.

It wasn't until 2016 that average state tax collections returned to pre-2008 levels. In the meantime, states and cities have had to rebuild pension funds to cover the rising numbers of retirees drawing benefits. That has left less money for the police, school sports programs and everything else. Local residents might not know why, but they are paying more taxes and getting scantier services in return.

Kate Dwyer, a board leader in the Three Rivers School District in southwestern Oregon, worries that because of the drain on funding, a generation is growing up without theater, wood shop, orchestra and other school programs that were offered in the past. Credit Leah Nash for The New York Times

Costs are rising even in places that previously acted to defuse the problem. Colorado trimmed pensions in 2010, but a new \$32 billion shortfall means more pension cuts and tax increases are likely. Detroit sliced its pension obligations in bankruptcy and persuaded philanthropists to chip in, but it is not clear that the city has an affordable plan.

In San Francisco, the school board wants voters to approve a \$298 "parcel tax" on real estate, ostensibly to raise \$50 million to pay teachers a living wage.

"That's a worthy objective, but it's not the real reason," said David Crane, a former trustee of the California teachers' pension system. He said the school district's retirement costs had grown by \$50 million over the last five years, devouring resources that would have gone to teachers.

Obligatory Contributions

Oregon is a blue state, but in its restive red hinterlands, tax increases are politically off limits and financial distress has been severe since 1994, when logging was curtailed to save an endangered owl. Lately, things have been getting even worse.

When a man was reported yelling and firing his gun on the property of a school in rural Josephine County, it took two hours for a sheriff's deputy to arrive, said Kate Dwyer, chairwoman of the board for the Three Rivers School District.

Evergreen Elementary School, part of the Three Rivers district, operates without a physical education teacher. Credit Leah Nash for The New York Times

The county has cut sheriff patrols, closed its mental health department and kept its jail at less than half capacity because of a lack of guards.

Dave Valenzuela, the Three Rivers school superintendent, traces the latest woes directly to PERS. The system is run at the state level, but it is bankrolled in large part by obligatory contributions from local governments.

This year, Three Rivers was poised to receive its first increase in state education funding in years, a reflection of growing enrollment. But Oregon raised by more than 50 percent the amount that Three Rivers had to contribute to PERS. So Mr. Valenzuela had to lop five days off the school year, ask each school to cut its budget by 10 percent and lay off the district librarian and English specialist.

PERS sets the pension bill for each entity — local government, university system and the like — based

A \$76,000 Monthly Pension: Why States and Cities Are Short on Cash

<https://www.nytimes.com/2018/04/14/business/pension-financ...>

That includes the state, by far the system's biggest contributor.

Oregon now has fewer police officers than in 1970, is losing foster-care workers at an alarming rate and has allowed earthquake and tsunami preparations to lapse. A 2016 survey turned up "a large number of bridges with critical and near-critical conditions" because of "longstanding inadequate funding."

Because Evergreen cannot afford a physical education teacher, Tiffany Bonney's first-grade class uses a video program called GoNoodle to exercise. Credit Leah Nash for The New York Times

Even prosperous communities are being pinched. The Beaverton School District, outside Portland, had to get rid of 75 teachers last year when its mandatory pension contribution rose by \$14 million. That was after shedding 340 teachers in 2012.

"I have town hall meetings, and the parents are just confounded by this," said Mark Hass, a Democratic state senator from Beaverton.

A Golden Touch

Oregon's unusual method for calculating pensions tends to generate lavish payouts.

For decades, PERS calculated pensions two different ways, and retirees could choose whichever produced the bigger numbers.

The first way was similar to what most states do, basing pensions on each worker's final salary and years of service. But Oregon's lawmakers included a golden touch, redefining "salary" to include remuneration from any source.

That was how Mr. Bellotti, the former football coach, came to be the state's third-highest-paid pensioner, at roughly \$559,000 a year.



Mike Bellotti in 2007, when he was the University of Oregon's head football coach. After retiring as the university's athletic director in 2010, he started drawing the biggest government pension in the state. Since then, two other retirees have surpassed him. Credit Chris Pietsch/The Register-Guard, via Associated Press

When he retired in 2010 as the university's athletic director, the standard pension formula was applied to his salary, plus a share of the outside licensing fees and product endorsements the football program brings in. (His pension details, along with those of other retirees in the system, were first obtained in 2011 from PERS by two newspapers, The Oregonian and The Statesman Journal.)

A \$76,000 Monthly Pension: Why States and Cities Are Short on Cash

<https://www.nytimes.com/2018/04/14/business/pension-financ...>

Mr. Bellotti said he never asked for a supersize pension. In 1995, he said, the university started to include a percentage of all endorsement and licensing fees in coaches' salaries.

"It was basically to augment the university's ability to pay a competitive salary to its coaching staff," he said.

When Mr. Bellotti retired, he was partway through a five-year, \$1.9 million-a-year contract, which he said was still below the league average of about \$3 million.

PERS made up for it with a big pension. "It was pay later as opposed to paying now," he said.

Dr. Robertson, the former Oregon Health & Science University president, said he had retired and started drawing his pension last fall, after learning he had multiple sclerosis. He said he agreed to stay on through the end of the academic year, without pay, "for the sake of continuity." A building at the Dome School, a private alternative school in Josephine County, Ore. The county cannot afford 24-hour sheriff patrols, and during one emergency at the school, two hours passed before a deputy could respond. Credit Leah Nash for The New York Times

A spokeswoman for the medical center said Dr. Robertson's pension was based on his salary, incentive payments, clinical pay and unused sick or vacation time.

Oregon's second way of calculating pensions dates back to 1946: For decades, every public worker got a simulated tracking account. It was credited with 6 percent of each paycheck, then left to compound at a predetermined rate.

In the early years, a low rate was used because the pension system invested in bonds that didn't yield much.

But in the 1970s, lawmakers started nudging the rate up, eventually to 8 percent. Then, the system's trustees decided 8 percent should be a guaranteed minimum. In years when markets produced higher returns, the accounts compounded at those rates, after money-management fees. During the 1990s bull market, accounts compounded by up to 21 percent a year.

When workers retired, their employers were required to "match" the account balances, doubling them. Then PERS would base the pensions on the total.

Children at the Dome School. Across Oregon, local officials have been told to brace for 15 to 20 more years of rising pension bills. Credit Leah Nash for The New York Times

'Planet Tiffany'

Randall Pozdena, an economist who supervised the pension system's investments in the 1990s, gave speeches warning that the situation was unsustainable.

"The only way you're going to get out of this is if the state is hit by a golden asteroid from Planet Tiffany," he recalled saying.

But efforts to change the system, including a 1994 ballot initiative, were blocked by the State Supreme Court, which ruled that accruals could not be reduced during any public worker's career.

A \$76,000 Monthly Pension: Why States and Cities Are Short on Cash

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So, when lawmakers required government retirees to pay Oregon's 9 percent income tax, as everybody else did, they also increased pensions by 9.89 percent, giving retirees extra money to pay the tax with.

"It's an affront to everybody who pays taxes," said Bruce Dennis, a retired carpenter from outside Portland who earned a \$54,000-a-year pension by swinging a hammer for 45 years. No one gives him extra money to cover his taxes.

Students at Evergreen and other schools in the Three Rivers district, which covers a thinly populated area larger than Rhode Island, spend hours on buses every day. The district has asked Oregon officials to help cover its transportation costs, so far in vain. Credit Leah Nash for The New York Times

"At every step of the way, they've made decisions that went against the interests of the public," he said.

Starting in 2003, the tracking accounts were phased out. But workers who already had the accounts were allowed to keep them. New hires got a more modest retirement plan.

"The cost of this pension system is not caused by the people we are hiring today," said Steven Rodeman, executive director of the Public Employees Retirement System. "This is a legacy problem from the 1980s and 1990s."

For workers with the tracking accounts, PERS dialed back the annual returns to 8 percent, then to 7.5 percent in 2016. That is still more than what PERS's investments have generated over the last decade. And so the pension fund's financial hole continues to deepen.

Across Oregon, local officials have been told to brace for 15 to 20 more years of rising pension bills. That's when the current generation of retirees will start dying out.

"All we can do is wait," said Jay Meredith, finance director of Grants Pass, the seat of Josephine County.

In the meantime, mounting pension costs mean that a generation of schoolchildren is growing up in the area with no theater program, no orchestra, no wood shop and minimal sports, chorus and art.

That's if they can get to school.

A county road recently washed out, stranding 300 people. Ms. Dwyer, of the Three Rivers School District, reported the problem to a public-works official.

She recalled his response: "I have trucks, but I can't put gas in them to come to you and dig it out."

File Code: 1950

Date: April 13, 2018

Subject: Trout Creek Project Draft ROD and FEIS Notice of Availability

To: Friends and Neighbors of the Sweet Home Ranger District

This letter is to inform you that the Trout Creek Project Draft Record of Decision (ROD) and Final Environmental Impact Statement (FEIS) have been completed and are now available for pre-decisional administrative review (objection).

Project Summary

The Sweet Home Ranger District is proposing to (1) encourage stand health, vigor, species diversity and structural complexity in the Matrix, Adaptive Management Area (AMA), and Riparian Reserves, (2) contribute a variety of sustainable forest products to local markets, (3) increase spatial heterogeneity, including complex early seral habitat, at a landscape scale by mimicking mixed severity fire, (4) improve fire resiliency and strategically manage hazardous fuels in high risk areas to reduce the potential for large-scale fires that could adversely affect the integrity of privately owned lands, Late Successional Reserves (LSR), Matrix, AMA, and Riparian Reserve lands, and (5) enhance and create hardwood habitat.

Draft Record of Decision

A modified Alternative 2 will allow treatments on approximately 1,426 acres in the project area. Proposed commercial treatments will include commercial thinning, variable forest thinning, fuels reduction treatments, early seral creation through gaps and aggregate retention harvest. Non-commercial activities include underplanting of drought-resistant conifers, snag creation of conifers for oak and madrone restoration; the planting of special forest products and plants important for tribal use, the restoration of a 2-acre meadow and fall and leave treatments. Harvest treatments will occur in stands ranging in age from approximately 40-140 years old and yield approximately 9 million board feet of timber. Post-harvest fuels treatments would include pile and burn and underburning. Approximately 45 miles of existing roads will be maintained and approximately 1 mile of new road will be constructed. Approximately 10 miles of road decommissioning and 31 miles of road storage will occur. The proposed project is located about 22 miles east of Sweet Home, along Highway 20.

Pre-Decisional Administrative Review

This Draft Record of Decision is subject to pre-decisional administrative review (objection) pursuant to 36 CFR218.

Who may file an objection: Only individuals, or organizations that submitted specific written comments during any designated opportunity for public participation (scoping or public comment periods) may object (36 CFR 218.5).

Objection Requirements: An objection must meet all of the requirements described in 36 CFR 218.8.



Timeline for Filing Objections: Evidence of and responsibility for timely filing is described in 36 CFR 218.9. Objections must be postmarked or received by the Reviewing Officer, Forest Supervisor, within 45 days from the date of publication of notice of the objection period in the *Eugene Register Guard*, the newspaper of record for the Sweet Home Ranger District, Willamette National Forest. The publication date in the *Eugene Register Guard* is the exclusive means for calculating the time to file an objection. Those wishing to file an objection should not rely upon dates or timeframe information provided by any other source.

Submitting an Objection: Objections may be submitted in the following ways:

Electronic submission: Electronic objections will be accepted through the Forest service online comment system available at: <https://cara.ecosystem-management.org/Public/CommentInput?Project=46279>.

Mail: Objections can be mailed to the Reviewing Officer at the address below. Objections delivered by mail must be received before the close of the fifth business day after the objection filing period.

Forest Supervisor, Reviewing Officer
Willamette National Forest Attention: Objections
3106 Pierce Parkway, Suite D
Springfield, Oregon 97477

Hand delivery: Objections may be hand delivered to the Supervisor's Office at the address above between 8:00 am and 4:30 pm, Monday through Friday except legal holidays.

The Draft ROD and FEIS are available on the Forest Service Website at: <https://www.fs.usda.gov/project/?project=46279>. A limited number of hard copies will be available upon request. For more information regarding the Trout Creek Project or to request a copy of the Draft ROD and FEIS, contact Joanie Schmidgall at (541) 367-3809 or the Sweet Home Ranger Station at 4431 Highway 30, Sweet Home, OR 97386.

Thank you for your interest and participation in this process. We look forward to hearing from you.

/s/ Nikki Swanson

NIKKI SWANSON
District Ranger

MONTH END RECAP

| | | MARCH 2018 | | | | | | |
|----|----------------------|-------------------|---------------------|-----------------|----------|-------------------|----|--|
| | | REVENUE | EXPENDITURES | YTD | % | Unexpended | | |
| 1 | GENERAL | \$ 34,211.23 | \$ 36,317.68 | \$ 577,015.69 | 44.69% | \$ 714,044.31 | 1 | |
| 2 | WATER | \$ 31,757.63 | \$ 23,574.32 | \$ 223,968.28 | 28.82% | \$ 553,031.72 | 2 | |
| 3 | SEWER | \$ 30,038.94 | \$ 15,204.24 | \$ 162,315.52 | 25.70% | \$ 469,359.48 | 3 | |
| 4 | STREETS | \$ 14,749.46 | \$ 11,881.36 | \$ 114,206.94 | 21.77% | \$ 410,293.06 | 4 | |
| 5 | WATER BOND | \$ 138.58 | \$ - | \$ 46,573.44 | 65.21% | \$ 24,847.56 | 5 | |
| 6 | SEWER BOND | \$ 1,039.49 | \$ - | \$ 305,385.25 | 92.50% | \$ 24,778.75 | 6 | |
| 7 | SEWER DEBT FEE | \$ 11,295.70 | \$ - | \$ 97,235.57 | 77.79% | | 7 | |
| 8 | BUILDING & EQUIPMENT | \$ 643.79 | \$ - | \$ - | 0.00% | \$ 615,200.00 | 8 | |
| 9 | WATER RESERVE | \$ 77.14 | \$ - | \$ - | 0.00% | \$ 79,340.00 | 9 | |
| 10 | HOUSING REHAB | \$ 392.86 | \$ - | \$ - | 0.00% | \$ 201,210.00 | 10 | |
| 11 | WATER SDC | \$ 2,170.12 | \$ - | \$ - | 0.00% | \$ 46,180.00 | 11 | |
| 12 | SEWER SDC | \$ 5,727.65 | \$ - | \$ - | 0.00% | \$ 296,704.00 | 12 | |
| 13 | STORMWATER SDC | \$ 2,083.41 | \$ - | \$ - | 0.00% | \$ 61,461.00 | 13 | |
| 14 | BIKEWAY/PATHS | \$ 165.73 | \$ - | \$ - | 0.00% | \$ 41,398.00 | 14 | |
| 15 | LIBRARY TRUST | \$ 11.70 | \$ - | \$ - | 0.00% | \$ 5,968.00 | 15 | |
| 16 | CEMETERY | \$ 141.51 | \$ - | \$ - | 0.00% | \$ 72,570.00 | 16 | |
| 17 | TRANSIENT ROOM TX | \$ 11.92 | \$ - | \$ 3,040.00 | 87.61% | \$ 430.00 | 17 | |
| 18 | SEWER CONSTRUCTION | \$ - | \$ - | \$ - | 0.00% | \$ - | 18 | |
| 19 | LAND ACQUISITION | \$ - | \$ - | \$ - | 0.00% | \$ 9,972.00 | 19 | |
| 20 | COMMUNITY PROJECTS | \$ 425.42 | \$ 3,250.00 | \$ 6,366.50 | 3.17% | \$ 194,383.50 | 20 | |
| | | \$ 135,082.28 | \$ 90,227.60 | \$ 1,438,871.62 | | | | |

Key Bank Account
 General Checking \$ 92,291.26 **2017-2018** **YTD** **% of Total**
 Appropriated \$ 5,260,043.00 27.42%

Oregon State Treasury \$ 4,750,624.48
 Community Improvements \$ 6,069.41
TOTAL OST / LGIP \$4,756,693.89

DEBT Payments
 Water \$ 45,327.00
 Wastewater \$ 486,663.00
Totals

Total Debt
 Water \$ 745,639.00
 Wastewater \$ 5,975,539.00
Total \$ 6,721,178.00