



# CITY OF BROWNSVILLE

## Council Meeting

Tuesday – July 23<sup>rd</sup>, 2013

**Regular Session      7:00 p.m.**

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# CITY OF BROWNSVILLE

## Council Meeting

City Hall – Council Chambers  
Tuesday, July 23<sup>rd</sup>, 2013

### 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: June 25<sup>th</sup>, 2013
- 6) PUBLIC HEARINGS OR PRESENTATIONS
  - A. FY 2012-2013 Review
- 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:
  - A. R 716: Returning & Transferring Delinquent Customers
- 10) ACTION ITEMS

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.

11) DISCUSSION ITEMS:

- A. Water System: Towing & Wells Policy *(Continued)*
- B. System Development Charges Review *(Continued)*
- C. May 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) EXECUTIVE SESSION

- Oregon Revised Statutes, Chapter 192.660 governs the conditions for a public body to convene in an Executive Session. The City will invoke Section (e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

15) 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

June 25<sup>th</sup>, 2013

**ROLL CALL:** Mayor Don Ware called the meeting to order at 7:00 p.m. with Councilors Cole, Chambers, Gerber, and Van Sandt present. Councilor Shepherd was out due to illness, and Councilor Boyanovsky was excused. Public Works Director Karl Frink, Administrative Assistant Tammi Morrow and City Administrator Scott McDowell were also present.

**PUBLIC:** Kaye Fox, Joe DeZurney, Richard Anderson, and Anne Stein.

**ADDITIONS AND DELETIONS:** Mr. McDowell stated that he would like to add Resolution 715 to the agenda to be addressed after executive session.

**MINUTES:** Council reviewed the minutes of the May 28<sup>th</sup>, 2013 meeting. *Councilor Gerber moved to approve the minutes as presented. The motion was seconded by Councilor Chambers and was approved unanimously.*

### **PUBLIC HEARINGS OR PRESENTATIONS:**

***Planning Commission Applicants*** – Mr. McDowell stated that there are two applicants to apply for the Planning Commission vacancy; Mr. Joe DeZurney and Mr. Richard Anderson. In Council's packet there was a list of questions (background, qualifications, interest in Brownsville, and interest in the Commission) that should be asked of each applicant. Council would like to ask the questions and have each gentleman respond accordingly. Mr. Anderson stated that he has resided in Brownsville for the past ten years, before that he resided in Eugene and California. His background is mainly in the insurance field, and more recently the electronic field. He is currently retired, has a wife and 5 children, is a volunteer at the Library each week, and also conducts tours at the Moyer House. Mr. DeZurney resides at 225 Locust, and has been a City resident for more than 40 years. His background includes being the Mayor, a City Councilor, a Planning Commission member, and owning and operating several local businesses. His latest venture, the Corner Café, was destroyed by fire in 2011, and since then he has felt a little disconnected from the community. In an effort to join back into the community, he would like to be a Planning Commissioner again and be a part of guiding the City through changes in the years ahead. Mr. DeZurney stated that he enjoyed the planning process, found it very interesting, and is excited to be part of the process again. Councilor Cole asked the applicants what else they thought was important. Mayor Don Ware also inquired as to what the applicants see in the future of Brownsville. Mr. Anderson stated that he would like see the current status continue. He is fiscally conservative, and he would like to see Brownsville not grow too fast. Mr. DeZurney stated that the town is growing right now, but that growth seems to be happening sporadically. He stated that some retail space is being taken up by non-profit entities, and that this is a little concerning. Brownsville used to be a "2 hour town", and now it is more of a "1 hour town." Mr. DeZurney stated that he would like to see some controlled growth. Currently the busiest place seems to be out on the Highway. He would like to see Brownsville "shovel-ready" when good growth comes along. Council agreed to make a decision tonight. Councilor Gerber commented that she thought both applicants were well qualified, but felt that with Mr. DeZurney's history as a town business owner and a previous Planning Commissioner, he would be the better choice. Mayor Don Ware commented that his vote goes to Mr. DeZurney in light of his previous experience. Councilor Chambers stated that Mr. DeZurney is "Brownsville", but did not



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want to discourage Mr. Anderson. Councilor Cole expressed her appreciation for both gentlemen taking their time to apply and answer Council's questions. She stated that she applauded Mr. Anderson's community involvement, but would like to support Mr. DeZurney for this position due to his 40 years of residency and his sense of Brownsville history. *Councilor Cole made a motion to appoint Mr. Joe DeZurney to serve on the Planning Commission. Councilor Chambers seconded the motion, and it passed unanimously.*

**Anne Stein Request** – Ms. Stein is requesting permission to set up a table on the sidewalk outside the Fitness Center to give away produce from the local community garden to local senior citizens. She is currently administering this program through the Meals on Wheels site at the Christian Church, but would really like a more visible location. Her hours are unknown at this time. Councilor Cole also inquired as to whether she had consulted the Fitness Center about the possibility of additional liability insurance needed. Ms. Stein responded that she had not done that yet. A question was raised as to the feasibility of having this program through the Senior Center. Ms. Stein reported that the Senior Center had indicated that they were not interested. Kaye Fox spoke up at this time and assured Council that they were interested, and that to her knowledge, there were just some details to be ironed out. Ms. Stein stated that she must have misunderstood. Council suggested that they meet and try to work out a mutually beneficial arrangement.

**Budget Hearing** – Mayor Ware opened the Budget Hearing and called for public input. No input was offered. Mayor Ware called for Council comment, none were offered. The Budget Hearing was closed.

### DEPARTMENT REPORTS:

1. **Sheriff's Report.** Deputy Brad Kelley reported that it has been very quiet in town. Pioneer Picnic went well. Deputy Kelley will be working with Mr. McDowell on the vandalism reward. The question was raised as to whether rewards really work in the prevention of vandalism. Deputy Kelley remarked that he didn't have a lot of experience with it, but that it couldn't hurt! The Willamette Country Music Festival planning is continuing. The plan is to have at least 10 deputies out at the Festival at all times, funded by the Festival folks.
2. **Public Works.** Mr. Frink reported that Public Works is going well. Work continues on the Programmable Logic Controller at the Water Treatment Plant and the "bugs" are being worked out. We had one sewer line problem this month. A private citizen had punched a hole in the sewer line in his yard because the line was backing up. The issue was addressed, and fixed the same day. The PW crew will be grading the streets soon, preparing for dust control to be applied. The new Park employee, Gary "Chuck" Brown, has been doing a great job in the Park, and some extra maintenance issues have been addresses. A new sign has been installed at the entrance of the Park. New vinyl fencing has been installed at the river bank to try to minimize City liability. Mr. Frink was informed by Mr. McDowell that he can proceed with installation on the new basketball hoops at Kirk's Ferry Park. We were waiting on an Eagle Scout to do this project, but the waiting period has expired, and the poles will be installed soon. Council commented that the Highway 228 calming devices have been weeded, and are looking great.



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3. Administrator's Report. Mr. McDowell would like to commend Public Works and Staff with working so well together. He heard a lot of great feedback this weekend during Pioneer Picnic. Last weekend the City rented the First Baptist Church bus and driver and Mrs. Joni Nelson conducted a cemetery tour for the Oregon Parks & Recreation Department. They wrote a very nice thank you to the City. City Hall Staff also received a nice thank you in the mail this week. Council will notice the Goals Board has been properly displayed. Mr. McDowell will be having a meeting with McFarland Cascade soon in order to work out project details. The City is trying to provide the best possible utilities at the lowest possible cost. At the last Planning Commission meeting, a variance was approved for the Tim Smith/Spencer Costello project with conditions. Mr. McDowell has heard nothing from the parties since the meeting. There was some public opposition to granting this variance. Council has been discussing mixed use codes lately, and it seems in late of the latest Commission meeting, it may be better to continue the current process to give the Planning Commission an opportunity for input on these types of developments. Mr. McDowell journeyed to Sunriver this month to review grant applications for the Oregon Parks & Recreation Department's Grant Advisory Board (OPR). Mr. McDowell will be serving his last year in 2014. Board members are allowed to serve two, four year terms. McDowell asked Council if he should seek the additional term if asked. Councilor Cole inquired as to whether it benefits or has some value for Brownsville. Mr. McDowell indicated that it brings a positive benefit to Brownsville by just being involved not to mention the experience of being on "that side of the table" and all of the contacts and relationships that are built. Council is supportive of this venture if Mr. McDowell would like to continue. McDowell reported that evaluations have been completed for the two new Public Works employees. Probationary periods have been extended for another 90 days for both employees. Mrs. Elizabeth Coleman underwent her six month evaluation and passed with flying colors! She has been a great addition. Mrs. Tammi Morrow will have her evaluation soon as well. Mrs. Deaver and Mrs. Morrow have been working on refining financial matters, and are preparing for year end and audit work with Joshua Morrow. Ann Hankins and Don Leber from WCMF recently attended a meeting with the VLC (Visit Linn Coalition). They had a good discussion and some planning may take place to impact next year's event favorably as well as leveraging a partnership with the Oregon Jamboree and the VLC. Mr. McDowell commented that nuisance abatements have been happening. City Staff has identified and dealt with several trash issues. Council could consider requiring all City residents to have trash service. Council may also need to address Right of Way issues. There are several instances in town with buildings over the line, trees, shrubbery in the Right of Way, as well as RV's and vehicles parked in these areas. Mrs. Morrow has nearly completed the first round of weed abatements for the year. We have had a good response from several property owners, and they are bringing their properties into compliance. A few lots will need to be mowed and the invoices will be sent out for that work. About 80% of the abatements are paid. The remaining 20% of the bills will be attached to the properties, and collected at a later date. City Staff plans on phase II of abatements around the first of August. There is one more major nuisance at a residence that incorporates several junk cars, trash, buckets, RV's, etc. This problem will be addressed very soon.
  
4. Library Report. No comments.



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5. Court Report. No comments.
6. Council Comments. Councilor Gerber informed Council that the U.S. Pony Club will be holding a fundraising event at the Croquet Court on the 4<sup>th</sup> of July from 10 a.m. – 2:00 p.m. Councilor Van Sandt reported that the final quilt show at the Library was well attended.
7. Citizen Comments. Kaye Fox informed Council that the Senior Center has permits in place now for food preparation and sale on site.

### LEGISLATIVE:

1. R 710: Increasing the Employer Contribution Rate. *A motion was made by Councilor Cole to approve increasing the employer contribution for employees with ten (10) complete years of service from 15% to 20%. The motion was seconded by Councilor Chambers, and the motion passed unanimously.*
2. R 711: Budget Appropriations FY 2013-14. *A motion was made by Councilor Cole to adopt Resolution 711 as presented. The motion was seconded by Councilor Van Sandt, and the motion passed unanimously.*
3. R 712: Water Rates. *Councilor Gerber made a motion to adopt Resolution 712 as presented which will maintain rates and fees at the same levels as FY 2012-2013 for FY 2013-14 and to introduce a capital improvement fee of \$2.50 per month, seconded by Councilor Cole and passed unanimously.*
4. R 713: Sewer Rates. *Councilor Cole made a motion to adopt Resolution 713 as presented which maintains rates and fees at the same level as FY 2012-2013, seconded by Councilor Gerber and passed unanimously.*
5. R 714: Fiscal Year End Transfers. *Mr. McDowell reported that the General Administration miscellaneous account has gone a little haywire by design of our auditor. Staff and Mr. Joshua Morrow are working on correcting entries, and will start the new year with a clean slate. Councilor Gerber made a motion to authorize Resolution 714, seconded by Councilor Cole and the motion passed unanimously.*

### ACTION ITEMS:

1. Temporary Permit (Construction). *Staff has recently discussed the use of an RV on a property during the construction phase. Council discussion ensued and the determination was that a six month time frame seems like a reasonable amount of time for construction. Councilor Cole made a motion to approve the use of an RV on a property during a construction phase for up to six months. If the construction is not finished after that time, the owner can apply for thirty day extensions. The motion was seconded by Councilor Gerber and the motion passed unanimously.*



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2. City Attorney Selection. Harrang, Long, Gary, and Rudnick have informed the City that their law firm will be going in a different direction and requested that the City find another legal firm for representation. Attorney Jeff Mathews will continue to finish some ongoing matters with the City. Mr. Mathews stated that under our Code, we can hire any attorney firm that we choose if we incur less than \$20,000 a year in fees. Mr. McDowell reported that Speer, Hoyt out of Eugene works with municipalities on an "as-needed" basis and does not require a contract or retainer. Speer Hoyt LLC also has a number of individuals that the City has worked with the past. They represent many other small communities around the State. *Councilor Cole made a motion to approve the hiring of Speer, Hoyt for future legal needs. The motion was seconded by Councilor Van Sandt and the motion passed unanimously.*

### DISCUSSION ITEMS:

1. Water System, Towing, & Wells Policy. Staff recently had a conversation regarding allowing wells within the City and how that could be more clearly defined. McDowell consulted with previous City Planner Bill Sattler about the policy history. Mr. Sattler stated that the policy has never been overly clear but wells have been allowed when properties are not close enough to City utilities and are far enough from the river. Councilor Cole inquired of Mr. Frink how this process works for the City. Mr. Frink stated that basically the more wells in town, the more cross-contamination risks there are. If the City's aquifer became contaminated, it could impact the City's ability to provide water to the town. His experience says that wells would be very hard to document and regulate. Policy in other small towns varies, but most towns prohibit personal wells. Mr. McDowell stated that at this time, this policy need is just being brought before Council for future consideration. State law allows wells and more research will need to be done to further the discussion. The City experiences vehicles being parked over the City water meters when a customer is delinquent. Suggestions for Council legislation might be invoking a \$20-\$30 fee per day, until the vehicle is moved. This fee would be attached to their sewer/water account.
2. System Development Charges Review. Mr. McDowell continued a discussion concerning SDC fees. Current SDC rates are extremely high. Councilor Gerber asked Mr. McDowell if he had looked into comparable rates from other small communities. He replied in the affirmative. Mr. McDowell stated that Council could reevaluate these fees every few years in order to keep them competitive with other communities in the area. Councilor Cole commented that she would like to "incentivize" fees to encourage growth and industry within our City. An effort also needs to be made to maintain a balanced approach for residents and businesses. Councilor Gerber commented that perhaps one way to incentivize would be the level of jobs the company would bring to the community; perhaps charge a base line fee, and then go by meter size. Council concurred that the system needs to equitable to those past, present, and future.
3. May Financials. Discussion called for, no questions were asked.

CITIZEN COMMENT: No comments at this time.





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**COUNCIL COMMENTS:** No Council comments at this time.

**EXECUTIVE SESSION:** The Council adjourned to Executive Session at 8:21 p.m. pursuant to ORS 192.660 Section (e) and (i).

Mayor Ware & Council returned to Regular Session at 8:40 p.m.

*Councilor Cole made a motion to authorize the passage of Resolution 715 to proceed with eminent domain procedures for the Calapooia Waterline Crossing Project, if an agreement cannot be made, with great regret. Councilor Chambers seconded the motion. The motion passed unanimously.*

Council discussion ensued regarding the fencing issue and the Linn County Sheriff's Office on Pearl Street between Gail Erickson and Jad Lemhouse.

**ADJOURNMENT:** *Councilor Cole moved to adjourn with Councilor Gerber seconding the motion. The meeting was adjourned at 8:48 p.m.*

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City Administrator S. Scott McDowell

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Mayor Don Ware



## City Administrator Report

July 23<sup>rd</sup>, 2013

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



"The best preparation for good work tomorrow is to do good work today." – Elbert Hubbard, American Writer

"Each of our acts makes a statement to our purpose." – Leo Buscaglia, American Author

"Never do a wrong thing to make a friend or to keep one." – Robert E. Lee, Confederate General

**R 716: Returning Delinquent Utility Customer** – The City has a need to clarify the policy of returning delinquent customers and the transferring of balances to another account. The City would like to make sure that the party responsible for using utilities actually pays for their use.



**Calapooia Crossing Water Line** – The City learned on Wednesday, July 17<sup>th</sup>, 2013 that the subsurface conditions near the Calapooia River proved to be too unstable to support drilling the hole and encasing the water line as planned. The only other alternative is to directional bore the line underneath the river. Kinaan Engineering's Don Carter said they could directional bore the line 25' under the river. Mr. Carter has over 35 years of experience in the field and feels very comfortable with this technique and process. Ryan Quigley and Jon Erwin have both approved the change. The City will realize some savings utilizing this method. The City's major concern is stability and longevity of the water line into the future. The contractor has had difficulties running into other utilities and appurtenances in the Park. Public Works Superintendent Karl Frink has been providing them a lot of support and has overcome several challenges to keep the Water Plant running properly. The project is still on track to be completed on time.

**System Development Charges Review** – I have enclosed the current SDC charges for your review. Below is the applicable sections of Brownsville Municipal Code for your convenience:



**3.10.040 System development charge established.**

- A. Unless otherwise exempted by the provisions of this chapter or other local or state law, a system development charge, effective April 19, 2000, is hereby imposed upon all new development within the City and upon any structure inside or outside the boundary of the City that connects to or otherwise uses the sanitary sewer system, storm sewer system, or the potable water system of the City. The system development charge is imposed only to the extent a methodology has been adopted for a capital improvement system.
- B. The systems development charge may be adjusted in accordance with the Engineering News Record Construction Cost Index, which adjusts the cost figures contained in the capital improvement plan. [Ord. 670 § 4, 2000; 1981 Compilation § 3-3.4.]

**3.10.050 Methodology.**

- A. The methodology shall be adopted by, and may be amended by, resolution of the Council.
- B. The methodology used to establish a reimbursement fee shall consider the cost of then-existing facilities, prior contributions by then-existing users, the value of unused capacity, rate-making principles employed to finance publicly owned capital improvements, and other relevant factors identified by the City Council. The methodology shall promote the objective that future systems users shall contribute no more than an equitable share of the cost of then-existing facilities.
- C. The methodology used to establish an improvement fee shall consider the cost of projected capital improvements needed to increase the capacity of the systems to which the fee is related. [Ord. 670 § 5, 2000; 1981 Compilation § 3-3.5.]

**3.10.060 Authorized expenditures.**

- A. Reimbursement fees shall be applied only to capital improvements associated with the systems for which the fees are assessed, including expenditures relating to repayment of indebtedness.
- B. Improvement fees shall be spent only on capacity-increasing capital improvements, including expenditures relating to repayment of future debt for the improvements. An increase in system capacity occurs if a capital improvement increases the level of performance or service provided by existing facilities or provides new facilities. The portion of the capital improvements funded by improvement fees must be related to demands created by development. A capital improvement being funded wholly or in part from revenues derived from the improvement fee shall be included in the City's capital improvement plan.
- C. Notwithstanding subsections (A) and (B) of this section, system development charge revenues may be expended on the direct costs of complying with the provisions of this chapter, including the costs of developing system development charge methodologies and providing an annual accounting of system development charge expenditures. [Ord. 670 § 6, 2000; 1981 Compilation § 3-3.6.]

**3.10.070 Expenditure restrictions.**

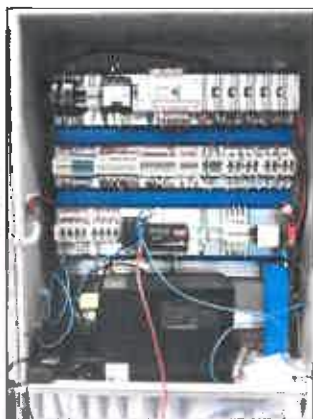
- A. System development charges shall not be expended for costs associated with the construction of administrative office facilities that are more than an incidental part of other capital improvements.
- B. System development charges shall not be expended for costs of the operation or routine maintenance of capital improvements. [Ord. 670 § 7, 2000; 1981 Compilation § 3-3.7.]

Council should consider these charges in light of any potential development.

**Water System, Towing & Wells Policy** – I hope to have an oral report for Council.

**City Attorney Search** – The City has secured an arrangement with Speer Hoyt LLC out of Eugene, Oregon for attorney services as directed at the last meeting. Ross Williamson has been briefed and is eager to serve the City. Mr. Williamson has an extensive municipal background and the Staff at Speer Hoyt is impressive. They form the Local Government Law Group for Speer Hoyt LLC and represent many cities in the Willamette Valley.





**Water Treatment Plant Computer System** – The City has held back a portion of the final payment until this project is completed to the City satisfaction. Mr. Frink will be providing an update.

*From last meeting:* Public Works Superintendent Karl Frink has been dealing with the fact that the computer system completely failed on May 13<sup>th</sup>, 2013. Staff was able to bring the computer system back online May 22<sup>nd</sup>, 2013. Mr. Frink is still working out the all of the details to ensure that our contract with The Automation Group (TAG) is complete and correct.

**LC Commissioners & WCMF Outcomes** – It continues to be quiet on this front. See the Visit Linn Coalition paragraph for more information.

*From last meeting:* Anne Hankins & Don Leber attended the last Visit Linn Coalition meeting and are very interested in assisting the group. The VLC would like to increase tourism for all of Linn County. Ms. Hankins and Mr. Leber could prove to be tremendous assets in assisting with plan development and execution. The group will continue to meet to determine the most prudent course of action.

**GR 12 Update** – City Engineer Jon Erwin recently opened the well. The well needs to be cleaned out to a depth of 24' as shown in the official documents. Currently the bottom of the well is at 15'8" and he is making arrangements to properly test the well.



**McFarland Cascade Development** – Staff recently met with representatives from McFarland to discuss utilities for their site. The City will be working closely with their engineer, Udell, to review storm water plans. Public Works Superintendent Karl Frink will be working with Professional Underground Utilities for the actual installations and connections to the system. The outcome

of the meeting was for McFarland to determine if the Oregon Water Resources Department would allow a well to be drilled on the site for fire protection purposes. The planned office and shop will be close to Highway 228 and already have access to the necessary utilities. The City is waiting for additional information for McFarland.

*From the last few meetings:* Staff is working with Fire Chief Kevin Rogers to examine a foam fire suppression system. We are doing what we can to meet their utility needs. I will have an oral report for Council. Elizabeth Coleman and I took a tour of McFarland Cascade's Wilbur, Oregon peeling and stacking yard on May 7<sup>th</sup>, 2013. McFarland Cascade hired Vigilante out of Eugene, Oregon to perform decibel tests. The City will be forwarded the results. Vigilante will also test the peeling operation once it is constructed here in Brownsville. The City used light industrial noise standards that were recently adopted in Richmond, California as the measure since the Department of Environmental Quality (DEQ) no longer supports this function. I will have an oral report for Council.



**Pioneer Picnic Follow-Up** – Mr. Frink followed up with an electrical concern in the Community Arts building by having Norm's Electric fix the problem. All cones borrowed by the Association were returned to Public Works.

**Planning Commission & Mixed Use Ordinance** – the City will be looking at this when the zoning code is reviewed later this year, early next year. The Planning Commission would like to continue to have control over certain pieces of mixed-use developments. The City would like to develop policy and legislation toward this end.

*From past meetings:* New developments have come to light due to a recent variance hearing in front of the Planning Commission. Council asked Staff to proceed with developing some language regarding mixed-use in both the Volume Commercial Zone and the Old Town Commercial Zone at the request of the Planning Commission. I anticipate getting to this as early as next meeting, June, and as late as the July meeting.

**Linn County Court Clerk Contract Update** – The City will be sitting down with Mrs. Jan Henry in September to develop the terms of an agreement that will attempt to continue her contractual employment with the City beginning January 1<sup>st</sup>, 2014. The City intends to keep the current IGA in place with the County so the City will have a backup in place for Mrs. Henry's vacations and other needs.

*From last meeting:* I am recommending modifying this contract so that the City can enter into an agreement with Mrs. Jan Henry for court clerk services. Mrs. Henry plans to retire in November 2013, but would still like to provide services to the City. Judge Lemhouse and I are currently reworking the contract with the County.

**Finance Outcomes** – Boldt, Carlisle & Smith's Joshua Morrow visited on July 17<sup>th</sup> to work with Staff to finish the accuracy of the general ledger for last fiscal year. Staff continues to spend considerable time working on this important task.



*From last meeting:* On May 1<sup>st</sup>, 2013, City Auditor Joshua Morrow met with Administrative Assistants Jannea Deaver & Tammi Morrow to correct general ledger concerns from beginning of this current fiscal year. Mr. Morrow was pleased with the progress that was made and the efforts made by Staff. He indicated that he would be back around the second week of June to make sure that April and May were recorded correctly.

**Staff Training** – Karl, Jannea & I continue to bring along new personnel. Evaluations have been completed. I will have an oral update for Council.



**Visit Linn Coalition (VLC) Update** – I am very excited to report that the Oregon Jamboree's Erin Regrutto and New Era's Scott Swanson are really taking advantage of the opportunities presented by Don Leber and Anne Hankins at the last VLC meeting. The two have been working on specific projects that will build cooperation and relationship between the Jamboree and the Bi-Mart Willamette Country Music Festival. The VLC passed a motion to create a high definition, 30 second spot that will appear on the



Jumbotron at the BWCMF and Jamboree as well as being on closed looped systems at other events including the Linn County Fair. Everyone is also working well together on a photo contest that aims to improve the trails to Linn website and provide contest winners some exciting prizes from our partners including concert tickets to the Jamboree and the BWCMF.

I recently spoke to a committee of the Sweet Home Economic Development Group (SHEDG) in Sweet Home about the VLC along with Albany Visitors Association's Jimmie Lucht. We were very well received and I certainly felt a lot of support in the room for this regional cooperative effort. Alex Paul of the *Democrat Herald* was on hand so I expect an article soon. I accentuated the opportunity of becoming the "Track Town U.S.A." for country music in Linn County. The VLC meeting will happen after the Council meeting this month.



**Chamber of Commerce** – Laura Meckle is making sure everything runs smoothly for the citywide garage sale. Chamber President Aimee Addison is putting the finishing touches on the shuttle logistics and arrangements for the Festival. The first annual Stand by Me day will be on July 23<sup>rd</sup>, 2013. Preparations are being made for the Antique Faire. The City's agreement with the Chamber requires a deposit for the use of the Pavilion which will be worked out in the very near future. The City worked with Mr. DeZurney and Mrs. Jan Taylor of Linn County Fair & Expo to display banners for those upcoming events.

**Canal Company Update** – The City will be meeting with Canal Company leadership later this year to determine a plan for action.

*From last meeting:* The annual meeting of the Brownsville Canal Company happened on May 6<sup>th</sup>, 2013. I will have an oral report for Council.

*From a past meeting:* Canal Company Leadership is still working on legal representation, official tax status and setting a date for their annual meeting.

*From a past meeting:* As reported at last Council meeting, Canal Company Attorney Deb Dyson has stepped down as their attorney citing a change in her law practice. I am still waiting to hear from the Canal Company to determine who their new attorney will be and if they have remedied the issue regarding their IRS status.

**Park Board Member Advertisement** – The City has received no interest. Please talk to folks you know who may be interested.

**Zoning Permits** – *From a past meeting:* I recommend holding this issue to the Fall due primarily to time constraints.

**Darrin Lane & Kirk Avenue** – *From last meeting:* I had an extensive conversation with Linn County Road Master Darrin Lane recently. Mr. Lane gave a brief history of the Kirk Avenue concept, to which I have added a little research, which is as follows:



*March 5<sup>th</sup>, 2001:* Kirk Avenue is initially discussed at Council meeting with Mr. Lane and the County Commissioners. County must determine how to a City street a County road in order to expend funds for the proposed improvements.

*Spring 2002:* The County indicates to the City that it is possible for the County to deem Kirk Avenue a County interest based on McKercher Road. The City starts planning for drainage projects.

*October 2006:* The City completes the Galbraith Street storm sewer project.

*February 28<sup>th</sup>, 2008:* Linn County Road Master Darrin Lane discusses the logistics of Kirk Avenue with Council. Survey crews are sent to town shortly thereafter to work on a rough design. There are several rules and requirements and multiple property issues that are cause for concern for any proposed construction project.

Meanwhile, County Staff is working on developing the Gateway project in conjunction with the Oregon Department of Transportation. City Staff is focusing on the multimillion dollar Wastewater project. The Economy starts falling apart. The Veterans Hospital is announced in Lebanon. Linn County Commissioners move a whopping \$19,000,000 out of the Road Department's funds to assist with the development. The Commissioners have also taken a \$2,000,000 from the Road Department to assist the Sheriff's Office funding issues. The Road Department is not as financially stable as it was in 2001 or even 2007 for that matter.

*2009-2010:* Several update conversations.

*January 2011:* Council asks for an update. The County indicates that they will not start a new project until the Gateway project is complete.

*June 2012:* Council decides to scale back the project to an overlay.

*June 22<sup>nd</sup>, 2012:* Staff meets with Mr. Lane who felt that the first block from Main to Averill could be done with curbs and sidewalks. The rest of Kirk Avenue could be an overlay. Mr. Lane projected the cost to be between 600,000 & \$800,000. Lane indicated that in the next year or two the County would probably be able to get this project. Lane also indicated at that time that the City would not need to financially participate, if we could be patient.

Mr. Lane indicated that his Department is currently overloaded with Federal bridge projects. The County is still interested in helping the City but timing is difficult.

### Outcome

If the City is in a hurry to get the project completed, they can set up a local improvements district (LID) and assess the costs to the affected properties or the City can wait until it is budgeted in Linn County's budget.

What does Council want to see on Kirk Avenue? Overlay or reconstruction?



*From the September 4<sup>th</sup>, 2012 meeting:* Darrin Lane Stopped for a visit on August 7<sup>th</sup> and indicated that County Engineer Chuck Knoll is working on the subsurface investigations.

**Central Linn Rec Center Fundraiser Update** – *From last meeting:* President George Frasier and I met to discuss logistics of selling firewood, not fireworks as reported in *The Times*, in the Park this summer. There were a few liability concerns for the Rec Center and the best solution seems to be to have the wood sold at places like Chevron, Brownsville Body Shop & Dari Mart. By doing this, of course, it does not require City personnel nor storage of the material.

**Calapooia Watershed Council** – *From a past meeting:* The Council recently reported that they have enough money for a sign in Pioneer Park. If the City is willing to install the sign, they are willing to have it constructed. The City should be receiving a proof of what the sign looks like in the near future.

**Central Linn School Meetings** – *From a past meeting:* Superintendent Brian Gardner is working toward getting this committee back together for discussions involving school related issues. Mayor Ware, Councilor Shepherd and Councilor Van Sandt represented Brownsville last year. The original idea was to bring members from Halsey, Brownsville and the School Board together to discuss common issues and identify ways to improve the School District.

**Linn County Flag Pole** – *From the last several meetings:* Mr. Dominguez is working on the details.

**WNHS Update** – *From last meeting:* The Board recently passed a few changes to enable WNHS greater flexibility in helping clients. The City also features their information downstairs in the foyer and on the website. The group is asking Linn County to be the sponsor of the new grant application. I've enclosed some information for your review from the meeting last week. They would like to get the word out on a few programs that will help stave off foreclosures. Please refer citizens to the following websites for more information:

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

Several things are being discussed that will affect the future financial well-being of WNHS and the partnership with LCHRP (Linn County Housing Rehabilitation Program.) WNHS provides many home rehabilitation services and counseling for those in need.

Respectfully Submitted,

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

S. Scott McDowell







## Public Works Report July 18<sup>th</sup>, 2013

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 July.
- *Distribution System* – No water leaks this month! Hydrant flushing has begun, we only flush 3-4 hydrants per day to avoid straining the water system. The waterline project in Pioneer Park is going well with little complaints. The waterline has been installed to the river where the boring work begins.
- *Cross Connection Program*- I continue to work on the annual inspections of the water system to identify and correct any unsafe condition that may exist. The annual backflow testing is complete for 2013.
- *Water Treatment Plant* –The emergency response plan and operations and maintenance manual are under construction. The computer SCADA system and PLC upgrades are installed and bugs being worked out. We are still in the process of fine tuning and adjusting the new system to work properly to our application. Filters one and two have been cleaned and scraped, and filter three maintenance is near completion.

### Sewer:

- *North Lagoons* – This facility has been mowed and sprayed for weeds.
- *South Lagoons*- This facility has been mowed and sprayed for weeds.
- *Collection System*- No sewer problems this month!
- *Misc.*- Nothing further to report at this time.

### Streets:

- *Mowing/Tree Maintenance* – Trees are trimmed on an as-needed basis. Work is complete to weed-eat and maintain all of the public right of ways in town. We will perform this task one more time in early August.
- *Asphalt/ Gravel Road Maintenance* – City streets have been graded and dust control has been applied.
- *Storm Drainage* – All of the public right of way ditches are currently being weed-eated and maintained

### Parks:

- *Pioneer Park* – The park has been mowed and maintained as needed. A new deck has been created next to the pavilion that was previously wasted space. The access ramps to the restrooms at the pavilion has been replaced and is currently being painted. several picnic tables and baseball bleachers have been repaired and being painted.
- *Blakely Park* – This facility is mowed every week. Sue Karo has volunteered to water this park for us.
- *Kirk's Ferry Park* – Mowing has begun. We will be installing the new basketball poles/hoops over the next few weeks.
- *Remington Park*- Mowing has begun at this park. The sprinkler system has been repaired and turned on for the summer.

**Cemetery:**

- *Grounds* – The cemetery has been mowed and weed-eated.

**Library:**

- *Grounds*- This facility is mowed weekly.
- *Buildings*- Some minor repairs and light bulbs have been replaced.

**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.* – The Gateway is mowed and maintained weekly.

**City Hall:**

- *Buildings*- Nothing to report at this time.
- *Grounds* – The area behind City Hall is mowed and maintained as needed.
- *Community Center*- Nothing to report this month.

**Rec. Center:**

- *Grounds*- This facility is mowed weekly. Watering of the lawn has begun.
- *Buildings*- Public works will be painting the new gutters soon if weather allows. One window pane has been replaced. One pane is broken and will be repaired soon.

**Public Works:**

- *Grounds*- This facility is mowed every week.
- *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.

# LINN COUNTY SHERIFF'S OFFICE



**Tim Mueller, Sheriff**  
1115 SE Jackson Street, Albany, OR 97322  
Phone: (541) 967-3950  
[www.LinnSheriff.org](http://www.LinnSheriff.org)

## 2013

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

**FOR THE MONTH OF: JUNE**

<b>TRAFFIC CITATIONS:</b> -----	<b>9</b>
<b>TRAFFIC WARNINGS:</b> -----	<b>11</b>
<b>TRAFFIC CRASHES:</b> -----	<b>2</b>
<b>ADULTS CITED / VIOLATIONS:</b> -----	<b>0</b>
<b>ADULTS ARRESTED:</b> -----	<b>2</b>
<b>JUVENILES CITED / VIOLATIONS:</b> -----	<b>0</b>
<b>JUVENILES ARRESTED:</b> -----	<b>0</b>
<b>COMPLAINTS/INCIDENTS INVESTIGATED:</b> -----	<b>46</b>

**TOTAL HOURS SPENT IN: BROWNSVILLE 263**

**70 PERCENT COVERAGE OF TWO DEPUTIES PER MONTH = 202 HOURS**

**Tim Mueller,  
Sheriff, Linn County**

**By: Sgt. Brad Kelley**

## PATRL\_RPT#2 City Incident Report

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	ST. #	ADDRESS	CITY	DESCRIPTION
131810335	6/30/13	22:33:17	PERS-MISSING	200	PARK AV	Brownsville	No Additional Report Necessary
131810279	6/30/13	19:50:17	Trf Equipment Viol	300	DEPOT AV	Brownsville	WARNING - EQUIPMENT VIOLATION
131810204	6/30/13	14:46:33	CUSTODIAL INTERF	204	E BLAKELY AV	Brownsville	No Additional Report Necessary
131810124	6/30/13	10:22:50	Trf Aggressive Driver	220	S MAIN ST	Brownsville	CITE ISSUED - AGGRESSIVE DRIVER
131810103	6/30/13	9:00:08	THEFT-RPT	212	W WASHINGTON AV	Brownsville	Incident Report
131800340	6/29/13	21:03:36	EXTRA PATROL	200	PARK AV	Brownsville	No Additional Report Necessary
131800269	6/29/13	17:05:47	Trf Observe Susp Activity	300	WASHBURN ST	Brownsville	CITE ISSUED - DWS/NO ODL
131800143	6/29/13	11:34:49	Trf Speed Viol	401	HUME ST	Brownsville	WARNING - SPEEDING VIOLATION
131800135	6/29/13	10:54:19	Trf Aggressive Driver	299	S MAIN ST	Brownsville	CITE ISSUED - AGGRESSIVE DRIVER
131800111	6/29/13	9:23:47	Trf Speed Viol	100	E HWY 228	Brownsville	CITE ISSUED - SPEEDING VIOLATION
131800100	6/29/13	8:50:05	Trf Equipment Viol	300	WASHBURN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
131790231	6/28/13	15:40:25	ALARM - POLICE	200	PARK AV	Brownsville	No Additional Report Necessary
131790206	6/28/13	14:18:21	Trf Cell Phone Use	600	N MAIN ST	Brownsville	CITE ISSUED - CELL PHONE USE VIOL
131790182	6/28/13	13:22:33	Trf Cell Phone Use	1	E HWY 228	Brownsville	WARNING - CELL PHONE USE VIOLATION
131790168	6/28/13	12:38:19	Trf Aggressive Driver	1	E HWY 228	Brownsville	CITE ISSUED - AGGRESSIVE DRIVER
131790150	6/28/13	11:36:23	DOG COMPLAINT	189	WASHBURN ST	Brownsville	No Additional Report Necessary
131780351	6/27/13	21:25:50	Trf Speed Viol	27910	SEVEN MILE LN	Brownsville	WARNING - SPEEDING VIOLATION
131770384	6/26/13	20:47:30	HARASSMENT RPT	118	W BLAKELY AV	Brownsville	Incident Report
131770184	6/26/13	12:25:04	ANIMAL - GOAT	600	HAUSMAN AV	Brownsville	No Additional Report Necessary
131760158	6/25/13	13:08:03	NEG BAD CHECK	517	AVERILL ST	Brownsville	Incident Report
131750213	6/24/13	14:48:34	FRAUD	408	W BISHOP WY	Brownsville	No Additional Report Necessary
131740273	6/23/13	19:37:11	CRIM MISCHIEF	200	PARK AV	Brownsville	Incident Report
131740143	6/23/13	12:14:54	DISPUTE-NEIGHBOR	746	TEMPLETON ST	Brownsville	No Additional Report Necessary
131740119	6/23/13	10:33:07	WELF CHECK	500	LOUCKS WY	Brownsville	No Additional Report Necessary
131740036	6/23/13	2:51:35	DISTB-OTHER	100	SPAULDING AV	Brownsville	No Additional Report Necessary
131740026	6/23/13	2:01:57	SUSP-PERSON	100	S MAIN ST	Brownsville	No Additional Report Necessary
131730354	6/22/13	22:13:19	Trf Moving Viol	200	N MAIN ST	Brownsville	No Additional Report Necessary
131730225	6/22/13	15:24:05	DISTB-DOMESTIC	220	KIRK AV	Brownsville	WARNING - MOVING VIOLATION
131730179	6/22/13	13:03:53	DISORD CONDUCT	200	KIRK AV	Brownsville	Incident Report
131730087	6/22/13	7:54:54	CRIM MISCHIEF	200	KIRK AV	Brownsville	No Additional Report Necessary
131730019	6/22/13	1:00:53	Trf Citz Compl	255	N MAIN ST	Brownsville	No Additional Report Necessary
131720294	6/21/13	20:48:30	INTOX SUBJ	200	PARK AV	Brownsville	No Additional Report Necessary
131720157	6/21/13	12:44:43	EVENT - SPECIAL ASSIGNMI	100	PARK AV	Brownsville	No Additional Report Necessary
131710272	6/20/13	17:34:34	FRAUD	130	SPAULDING AV	Brownsville	MDT Narrative Update
131710266	6/20/13	17:18:01	DISTB-OTHER	723	N MAIN ST	Brownsville	Incident Report
131690293	6/18/13	16:48:19	TRAFF-OTHER VIOL	668	CALAPOOIA AV	Brownsville	Incident Report
131680305	6/17/13	17:16:07	TRAFF-OTHER VIOL	100	HAUSMAN AV	Brownsville	No Additional Report Necessary
131670275	6/16/13	22:01:51	SUSP-PERSON	101	PARK AV	Brownsville	MDT Narrative Update
131670185	6/16/13	15:47:00	ALARM - POLICE	279	TEMPLETON ST	Brownsville	No Additional Report Necessary
131670181	6/16/13	15:28:17	Trf Speed Viol	300	WASHBURN ST	Brownsville	CITE ISSUED - SPEEDING VIOLATION
131670119	6/16/13	12:23:35	PHONE-HARASSMENT	366	KIRK AV	Brownsville	No Additional Report Necessary
131650088	6/14/13	8:40:45	HARASSMENT RPT	714	LOUCKS WY	Brownsville	No Additional Report Necessary

## PATRL\_RPT#2 City Incident Report

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	ST. #	ADDRESS	CITY	DESCRIPTION
131640345	6/13/13	23:16:24	Trf Equipment Viol	200	N MAIN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
131630383	6/12/13	22:33:50	SUSP-PERSON	1	PARK AV	Brownsville	No Additional Report Necessary
131630372	6/12/13	21:59:32	DISTB-OTHER	107	E BISHOP WY	Brownsville	No Additional Report Necessary
131630334	6/12/13	19:07:47	THEFT-RPT	200	PARK AV	Brownsville	Incident Report
131630303	6/12/13	18:01:36	Trf Speed Viol	300	DEPOT AV	Brownsville	CITE ISSUED - DWS/NO ODL
131620333	6/11/13	20:56:50	Trf Equipment Viol	800	OAK ST	Brownsville	WARNING - MOVING VIOLATION
131610350	6/10/13	19:12:20	DISTB-OTHER	311	E BLAKELY AV	Brownsville	No Additional Report Necessary
131610302	6/10/13	16:39:41	Trf Moving Viol	100	WALNUT AV	Brownsville	WARNING - MOVING VIOLATION
131610243	6/10/13	14:12:35	MVC-HIT & RUN	203	W BISHOP WY	Brownsville	Incident Report
131600317	6/09/13	20:09:19	MVC-HIT & RUN	1022	OAK ST	Brownsville	Incident Report
131600151	6/09/13	11:03:36	THEFT-RPT	200	PARK AV	Brownsville	Incident Report
131600109	6/09/13	7:52:38	ALARM - POLICE	200	PARK AV	Brownsville	No Additional Report Necessary
131590197	6/08/13	14:34:06	DISTB-OTHER	300	GALBRAITH ST	Brownsville	No Additional Report Necessary
131580440	6/07/13	22:52:16	Trf Equipment Viol	100	E HWY 228	Brownsville	WARNING - EQUIPMENT VIOLATION
131580431	6/07/13	22:36:59	Trf Aggressive Driver	100	E HWY 228	Brownsville	CITE ISSUED - AGRESSIVE DRIVER
131560427	6/05/13	23:45:20	HARASSMENT RPT	137	MILLHOUSE ST	Brownsville	No Additional Report Necessary
131560291	6/05/13	16:34:43	ALARM - POLICE	400	HUME ST	Brownsville	No Additional Report Necessary
131560283	6/05/13	16:11:34	THEFT-RPT	133	SAGE ST	Brownsville	No Additional Report Necessary
131560222	6/05/13	13:22:23	WARRANT SERV	366	KIRK AV	Brownsville	Civil process atmped, not served
131540293	6/03/13	18:25:46	ASSAULT REPORT	121	MILLHOUSE ST	Brownsville	No Additional Report Necessary
131540186	6/03/13	13:39:31	TRAFF-DUII	618	SPAULDING AV	Brownsville	No Additional Report Necessary
131530185	6/02/13	14:49:20	Trf Moving Viol	298	S MAIN ST	Brownsville	MDT Narrative Update
131520376	6/01/13	23:37:56	TRAFF-OTHER VIOL	405	SPAULDING AV	Brownsville	No Additional Report Necessary
131520186	6/01/13	14:02:16	Trf Seatbelt	100	STANARD AV	Brownsville	WARNING - SEATBELT VIOLATION



***Library Advisory Board***  
**Librarian's Report**  
June 2013

As June is the end of the fiscal year for us, I think a recap of what has happened at our Library is in order. 47 volunteers have donated 1,770.25 hours this year. If we calculate this donation by using minimum wage (\$8.95 per hour), this totals \$15,843.73. This is a large investment that our community members make in our City. Many volunteers live outside our city limits and volunteer, because they recognize how important a Library is to a vibrant community such as Brownsville. This fiscal year we received a total of \$2,966.70 in fines and fees. For the first year I kept track of the approximate number of reference questions I answered. A reference question is something other than 'What book should I check out?' or 'Where is book X located?' I recorded 155 reference questions. During a typical week there are about 13 volunteers working the front desk. If each one answered 150 questions during the year, we answered more than 2000 questions to patrons and community members.

We have almost 19,000 titles to check out and use as reference materials. In this last year, we added 515 books and 35 audio books. Of these, 122 books and 11 audio books were donated by the Friends of the Library and the Brownsville Women's Study Club. We have 17 magazine subscriptions all donated by the Friends of the Library and wonderful patrons.

We had 108 children's programs, which include story time and the summer reading program. There was a total children's program attendance of 1,155 kids and adults. I would like to add a summer reading program for older children and teens. If I could only find the right volunteer coordinator! There were 79 programs for adults, including our new Genealogy series, Book Club for Adults and Wednesday Stitchery Club with total program attendance of 451. Over the year we had about 12,000 visitors to the Library.

I was grateful for the week of vacation. My family got away to the coast for a few days and watched the boats go in and out of the harbor. It was relaxing and when we returned I was ready to get back to tending our garden of books.

Here are a few facts about our library the month of June 2013. We have received 30 new books for the library. Volunteers donated 95 hours to our library. There were 1,169 materials checked out. 424 adult fiction books; 99 adult non-fiction books; 82 audio books; 208 children's books; 244 junior books; 28 junior reference books and 84 large print books.

Respectfully submitted,

Sherri Lemhouse  
Librarian

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT  
STATISTICAL REPORT FOR THE MONTH OF JUNE 2013**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	35	0	5	30	
Violations	12	9	13	8	
Contempt/Other	30	3	2	31	
<b>TOTALS</b>	<b>77</b>	<b>12</b>	<b>20</b>	<b>69</b>	

**BALANCE SHEET FOR THE MONTH OF JUNE 2013**

**Court Revenue**

Total Deposits +	\$ 2,474.00
Total Bail Forfeits +	\$ -
Total Bail/Bank Fees -	\$ -
Total Bail Held -	\$ -
* Total Refund/Rest -	\$ -
Total NSF's -	\$ -

**Court Payments**

City	\$2,009.00
Restitution	\$ 25.00
Unitary Assessment	\$ 440.00
Linn County	\$ -
State Misc.	\$ -
DUII Surcharge	\$ -

**TOTAL COURT REVENUE**

**\$ 2,474.00**

**TOTAL COURT PAYMENTS**

**\$2,474.00**

Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

**TOTAL NON-REVENUE CREDIT ALLOWED** \$ -

**TOTAL CASH PAYMENTS TO:**

CITY	\$ 2,009.00
STATE	\$ 440.00
COUNTY	\$ -

\*REFUND/RESTITUTION \$ 25.00

**ACCOUNTS RECEIVABLE:**

BEGINNING	\$10,701.43
ENDING	\$ 2,829.88

**RESOLUTION NO. 716****A RESOLUTION SETTING RULES FOR UTILITY ACCOUNTS  
REGARDING DELINQUENT PAYMENTS & RETURNING CUSTOMERS**

**WHEREAS**, the Council has the authority to set policy governing the utility rates, charges, costs, fees and fines of the City of Brownsville; and,

**WHEREAS**, the Council determines it to be in the best interest of the public to require a delinquent customer to settle past accounts prior to opening a new account; and,

**NOW, THEREFORE, BE IT RESOLVED BY THE BROWNSVILLE CITY COUNCIL, THAT:**

**Utility Accounts**

- A. The City of Brownsville shall require returning customers to fully pay any outstanding amounts on previous utility accounts;
- B. Any outstanding balances on a customer's account cannot be transferred to another residence;
- C. All balance transfers shall fall under parameters currently being used by the City. Transfers are allowed to consolidate a utility bill in certain circumstances based on when a customer moves to another residence;

Introduced and adopted this 23<sup>rd</sup> day of July 2013.

---

Don Ware, Mayor

---

S. Scott McDowell, City Administrator



S. Scott McDowell

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**From:** Bradley King [bradley.king@lpl.com]  
**Sent:** Thursday, July 18, 2013 8:10 AM  
**To:** Don Ware; admin@ci.brownsville.or.us  
**Cc:** Rick Kissock  
**Subject:** FW: Junction City Job Fair

Don & Scott,

The Junction City State Hospital project is now moving forward into the hiring stage. A Job Fair to recruit applicants will take place Thursday, August 15<sup>th</sup> at Junction City High School from noon to 8pm. Get the word out to your community. If you have any questions on the event, a good contact is our Tri County Chamber Executive Director, Rick Kissock. The phone number for his office is 541-998-6154.

**Brad King**  
 LPL Financial Advisor

Covenant Financial, LLC  
 575 Holly Street  
 PO Box 546  
 Junction City, OR 97448

541-998-2925  
 866-998-2925  
[www.lpl.com/bradley.king](http://www.lpl.com/bradley.king)

Securities and advisory services offered through LPL Financial  
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 Member FINRA/SIPC

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**From:** Chamberland Anna M [mailto:anna.m.chamberland@state.or.us]  
**Sent:** Friday, July 12, 2013 10:14 AM  
**To:** 'bradley.king@lpl.com'  
**Cc:** MARTIN Billy J  
**Subject:** Junction City Job Fair

Good morning, Brad:

Thank you for spending some time with me on the phone this morning to talk about a Job Fair to be held in Junction City. We would like to have Greg Roberts, Hospital Superintendent, address the Chamber and/or residents to talk about the Job Fair and Recruitment plans, as well as the hospital itself. We discussed the possibility of the Chamber having a special luncheon, or meeting. I am working to obtain available dates for Mr. Roberts.

In addition, we would invite Rick Kissock, Executive Director, to join our Planning Meeting currently slated for Tuesday, July 16, 3:00 pm-5:00 pm. This meeting will be held at the City Council Chambers in Junction City.

Scheduled to open in spring 2015, the Junction City campus of the Oregon State Hospital is expected to have 174 beds. The 24-hour psychiatric hospital will serve patients who need a higher level of care than can be provided in a community setting. To staff the new campus, the hospital expects to hire more than 425 employees with a diverse array of skills and expertise, including clinicians, nursing, and kitchen, facilities and office support.

Positions will be filled between 2013 and 2015, and new employees will begin working and training at the Salem campus until the Junction City campus opens.

- An estimated 170 positions will be filled by the end of 2013. Those staff will work on units that will eventually move to Junction City.
- An estimated 193 positions will be filled in 2014, with the majority beginning in the latter part of the year.
- An estimated 76 positions will be filled during the first quarter of 2015.

Please let me know if you have any questions.

Sincerely,

Anna M. Chamberland  
Workforce Recruitment Consultant  
Oregon Health Authority  
500 Summer Street, 4<sup>th</sup> Floor  
Salem, OR 97305  
(503) 945-6667

*Bristol Bay Yupik Value: Be helpful to one another*

S. Scott McDowell

---

**From:** Moore, Ed W [ed.w.moore@state.or.us]  
**Sent:** Friday, June 21, 2013 11:24 AM  
**To:** Foster, Drew  
**Subject:** FW: DLCD Legislation passes  
**Attachments:** hb2253.en.pdf; hb2254.en.pdf

FYI

---

**From:** Rindy, Bob  
**Sent:** Friday, June 21, 2013 11:01  
**To:** -DLCD Program Staff  
**Subject:** DLCD Legislation passes

Yesterday both DLCD legislative concepts (HB 2253 and HB 2254) passed unanimously on the Senate floor (had previously passed unanimously on the Senate floor). They now head to the Governor's desk for signing. The bills take effect upon signing, but as you know, they won't really be in effect until LCDC adopts related administrative rules a year to 18 months from now.

**Bob Rindy** | Senior Policy Analyst  
Oregon Dept. of Land Conservation and Development  
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540  
Office: (503) 373-0050 ext. 229 | Cell: (503) 881-0433  
[bob.rindy@state.or.us](mailto:bob.rindy@state.or.us) | [www.oregon.gov/LCD](http://www.oregon.gov/LCD)



cis benefits  
www.cisbenefits.org



# ACA Matters

Healthcare Reform Guidance for CIS Benefits Members

Issue 1, June 2013

## Am I a Large or Small Employer?

January 1, 2014 is a key date in the implementation of the federal Affordable Care Act (ACA), particularly as it applies to employer-sponsored medical coverage. But before you can make any decisions about how your entity will comply with the ACA, you need to answer one basic question: am I a small or large employer? The answer affects compliance requirements, and the penalties for non-compliance.

The answer of “large” or “small” is pretty easy for most employers. But it can be challenging for those who have fewer than 50 regular full-time employees, but employ part-time, seasonal, or temporary employees. Based on whether you are a large or small employer, there are different implications and next steps. These and other ACA provisions will be covered in upcoming newsletters.

### What Size Employer Are You?

A “small employer” in any year is one with 2 to 49 full-time equivalent (FTE) employees.

A “large employer” has on average at least **50 full-time employees, including FTEs** on business days during the

#### ADDITIONAL INFORMATION:

Have questions about the calculation process or other ACA issues?

CIS and our benefit consultants at The Partners Group have teamed up to respond to your ACA questions. Send your question via e-mail to [acaanswers@cisoregon.org](mailto:acaanswers@cisoregon.org). You'll receive an initial response within the next business day.

503-763-3800 800-922-2684

[www.cisbenefits.org](http://www.cisbenefits.org)

1212 Court St. NE, Salem, OR 97301

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preceding calendar year. “Full-time” means someone employed for an average of 30 or more hours of service each week. For this purpose, 130 hours of service in a calendar month is deemed the equivalent of 30 hours per week.

### Doing the “ACA Math”

Some employers with fewer than 50 full-time employees may reach the 50 threshold by virtue of their part-time and/or seasonal workers. These employers must do the “ACA math” to determine their status as a large or small employer. How you count to 50 makes all the difference, particularly because you have to do it every year.

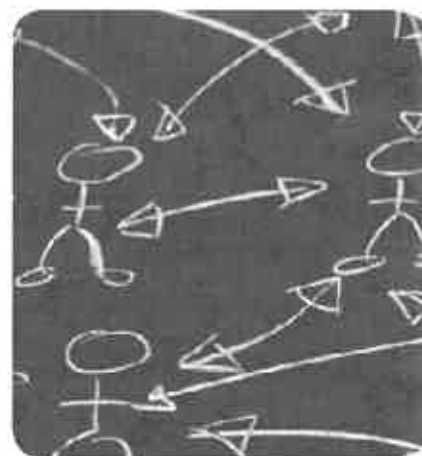
*If you know you are a small employer for 2014 - e.g., the number of your full- and part-time employees don't come anywhere near 50 in 2013 – or you know you are a large employer because you have 50 or more full-time employees, then the remainder of this information does not apply to you.*

The ACA regulations state that an employer generally will be “large” if, with respect to the prior calendar year:

$[\text{Monthly average number of full-time employees}] + [\text{Monthly average number of full-time equivalent (FTE) employees}] \geq 50$

The average number is determined by adding the numbers up each month, adding those monthly numbers together, and then dividing by 12 months. (There is an exception for 2013 - see below.)

An employee has to be either a full-time employee, or a full-time equivalent – there is no other classification. However, an employee's classification can change from month to month. An employee is considered “full-time” in any given month if he/she works at least 130 hours. Variable hour employees may move back and forth between “full time” and “full-time equivalent” based on their hours worked in a particular month.



**NOTE:** The hours discussed in this newsletter are for ACA purposes only, and are not connected with the hours you report on your CIS Request for Coverage (RFC). They serve two completely differently purposes.



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So, to determine the number of full-time employees for each calendar month, the employer must count every employee who worked 130 hours or more in that month.

### Calculating FTE Employees

To determine an employer's number of FTE employees for each calendar month in the preceding calendar year, the employer must:

1. Determine the employees having at least 130 hours of service for that month (the "true" full-time employees).
2. Calculate the aggregate number of hours of service (but not more than 120 hours of service for any employee) for all other employees for that month;
3. Divide the total hours of service from Step 2 by 120. The result is the number of FTEs for the calendar month (do not drop any fractional amounts);
4. For each month add together the total number of full-time (Step 1) and FTE (Step 3) employees;
5. Add the sum for each month to reach a yearly total; and
6. Divide the yearly total by 12, then disregard any fractions. The result is the number of full-time and FTE employees. If the result is 50 or more, the employer is considered a large employer for that year and is subject to the Shared Responsibility (aka "Play or Pay") rule.

During 2013 only, you do not need to calculate employees based on a full calendar year; you can use a shorter, consecutive period that is at least six months. CIS suggests that you use a January – June, 2013 calculation period, so your entity will know where it stands as you look ahead to 2014. The sample calculation on the following page takes advantage of the 2013 exception, as it illustrates a six month period.



**NOTE:** If you employ at least 50 full-time employees, regardless of the number of additional FTEs you have, then there is no reason to perform the calculation. You are a large employer.



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Here's an example of how this calculation works.

The City of Wellness has a normal 40-hour work week. It employs 45 regular full-time employees working 40 hours/week. It also has 10 additional employees who work variable or seasonal hours. The non-full-time employees are:

- 1 part-time payroll clerk - variable hours
- 1 part-time utility clerk - variable hours
- 2 summer park maintenance workers working 8 hour days, 5 days/week between Memorial Day & Labor Day (68 work days), and
- 6 summer lifeguards working 8 hour days, 4 days/week between Memorial Day & Labor Day (54 work days).

The City is using the six-month option to calculate its employees in 2013, so it is only going to count hours for January – June, 2013, starting with the actual payroll records:

### FTE HOURS OF SERVICE - JANUARY - JUNE 2013 (FROM PAYROLL)

	January	February	March	April	May	June
Payroll Clerk	110	125	142	95	100	138
Utility Clerk	132	95	106	125	85	140
Park Worker 1	0	0	0	0	32	160
Park Worker 2	0	0	0	0	32	160
Lifeguard 1	0	0	0	0	32	128
Lifeguard 2	0	0	0	0	32	128
Lifeguard 3	0	0	0	0	24	128
Lifeguard 4	0	0	0	0	24	128
Lifeguard 5	0	0	0	0	16	128
Lifeguard 6	0	0	0	0	16	128

(1) Determine the employees who are full-time for a month due to working more than 130 hours (which are the clerks in a couple of months and the park workers for June)

(2) Calculate the aggregate number of hours of service (but not more than 120 hours of service for any employee) for all other employees who were not full-time employees for that month.

### SEASONAL EMPLOYEES

You will note that seasonal employees are included in the example calculation, as they are required to be. Seasonal employees are defined as those hired for work that is dependent on a particular season, like summer lifeguards, baseball field maintenance workers, etc., whose service does not exceed 120 days in a year.

If – and only if – an employer's count of full-time employees and FTE employees exceeds 50 solely because of the seasonal workers, they can be excluded from the calculation. In the example calculation, the seasonal workers do not cause the employer to exceed 50 employees, so they remain in the count.



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For this second step in the calculation, the actual hours worked are capped so no FTE employee exceeds 120 hours. Note that employees exceeding 130 hours are not included for that month.

#### ADJUSTED FTE HOURS OF SERVICE - NOT MORE THAN 120 HOURS - JANUARY - JUNE 2013

	January	February	March	April	May	June
Payroll Clerk	110	120	Full-Time	95	100	Full-Time
Utility Clerk	Full-Time	95	106	120	85	Full-Time
Park Worker 1	0	0	0	0	32	Full-Time
Park Worker 2	0	0	0	0	32	Full-Time
Lifeguard 1	0	0	0	0	32	120
Lifeguard 2	0	0	0	0	32	120
Lifeguard 3	0	0	0	0	24	120
Lifeguard 4	0	0	0	0	24	120
Lifeguard 5	0	0	0	0	16	120
Lifeguard 6	0	0	0	0	16	120
<b>Monthly FTE Total:</b>	110	215	106	215	393	720

(3) Divide the total hours of service from Step 1 by 120. The result is the number of FTEs for the calendar month. Do not drop any fractional amounts;

	January	February	March	April	May	June
<b>Divided by 120:</b>	0.92	1.79	0.88	1.79	3.28	6.00

(4) For each month add the total number of full-time and FTE employees;

+ Full-Time Employees	46	45	46	45	45	49
<b>TOTAL Full-Time + FTEs:</b>	46.92	46.79	46.88	46.79	48.28	55.00

(5) Add the Full-Time + FTE total for each month to reach a total (290.66 in this example) for the 6-month period; and

(6) Divide the total (290.66) by the number of months measured (= 48.44,) then disregard any fractions (=48)

The City of Wellness is a SMALL employer with 48 employees for the 2014 year.

It's all about **TRUST.**

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## LINN BENTON FOOD SHARE

545 SW 2nd Street  
Suite A  
Corvallis, OR 97333  
(541) 752-1010  
Fax 752-2348

Federal ID #  
93-1099406

**Linn Benton Food  
Share is a nonprofit  
agency dedicated to  
eliminating hunger  
in Linn and Benton  
Counties.**

June 27, 2013

*Dear Friends,*

Linn Benton Food Share's annual appeal for financial support does not include stickers, calendars or offers for a canvas tote bag. We prefer to honor the support we receive by committing the funds to actual service – providing food and other assistance to a network of 74 local non-profit agencies. Last year we were able to distribute over 5 million pounds of food, helping well over 40,000 individuals (unduplicated) through this network. We count this a success. It was made possible only through the generous support of the community we serve.

We know there are still many members of our community suffering from the worst economic crisis since the Great Depression. From January to April of this year, over 13,000 individuals per month were helped through our emergency food box network. This is roughly equivalent to the populations of Philomath and Sweet Home put together. These all-time high numbers will only increase given the anemic economic "recovery," proposed cuts to Federal safety net programs like food stamps, and increasing food and gas prices, among other pressures. As a result, your support of Linn Benton Food Share this year could not be more essential.

### Where your dollars go:

- Fresh Alliance Program: *45,000 pounds of food picked up per month from local area grocery stores & OSU dining halls.*
- Delivery service: *Over 250,000 pounds per month delivered to emergency food providers in the two-county area.*
- Food Purchase program: *As food donations and government support dwindle, purchased food is the only way to keep shelves stocked with the variety of food needed for a nutritionally balanced food box.*
- Focus on healthy foods: *Food acquisition concentrates on providing healthy options to clients, especially expanding availability of fresh produce.*

If you agree that no child in our community should go hungry;

If you agree that in order to create strong, stable families and move them on the path to self-sufficiency, food should not be a negotiation from one day to the next;

If you agree that seniors should not have to choose between vital medications and food;

If you agree that families should not have to choose between rent and food;

### Then support Linn Benton Food Share.

Linn Benton Food Share exists due to one reason: you care enough to help your neighbor. Whatever amount you can contribute, know that your donation will be received with heartfelt appreciation – from us at Food Share, from the hundreds of volunteers at our partner agencies and, most of all, from the thousands of people who will be able to eat because you decided to act. Thank you.

Sincerely,

Ryan McCambridge, Coordinator  
Linn Benton Food Share

*Your Support is Most Appreciated. Thank You!*

A Program of  
Community  
Services  
Consortium



Member of Oregon  
Food Bank Network

**MONTH END RECAP**

	June 2013		YTD	%	Unexpended	
	REVENUE	EXPENDITURES				
1 GENERAL	\$ 38,361.56	\$ 7,750.74	\$ 805,904.38	63.66%	\$ 459,998.62	1
2 WATER	\$ 22,211.04	\$ 10,525.74	\$ 304,242.62	26.49%	\$ 844,207.38	2
3 SEWER	\$ 26,277.82	\$ 3,123.76	\$ 345,844.99	36.42%	\$ 603,755.01	3
4 STREETS	\$ 11,177.47	\$ 3,631.39	\$ 98,772.30	19.48%	\$ 408,327.70	4
5 WATER BOND	\$ 2,635.38	\$ 54,927.00	\$ 109,854.00	146.32%		5
6 SEWER BOND	\$ 20,749.60		\$ 332,072.00	79.41%	\$ 86,102.00	6
7 SEWER DEBT FEE	\$ 10,967.37		\$ 129,970.59	104.81%		7
8 BUILDING & EQUIPMENT	\$ 146.33		\$ 107,590.00	33.62%		8
9 WATER RESERVE	\$ 19.68					9
10 HOUSING REHAB	\$ 80.61					10
11 WATER SDC	\$ 72.47					11
12 SEWER SDC	\$ 93.53					12
13 STORMWATER SDC	\$ 14.28					13
14 BIKEWAY/PATHS	\$ 83.27					14
15 LIBRARY TRUST	\$ 2.46					15
16 CEMETERY	\$ -					16
17 TRANSIENT ROOM TX	\$ 0.71					17
18 SEWER CONSTRUCTION	\$ -					18
19 LAND ACQUISITION	\$ 4.06					19
20 COMMUNITY PROJECTS	\$ 13.39	\$ 1,225.00	\$ 72,570.79	29.56%	\$ 172,929.21	20
	\$ 132,911.03	\$ 81,183.63				

<b>KeyBank Accounts</b>				
General	\$ 64,358.98	Appropriated	\$ 2,347,844.08	41.32%
Utility	\$ 16,450.75			
Park	\$ 5,000.00			
Court	\$ 2,829.88			
<b>Oregon State Treasury</b>	\$ 4,315,144.87			
<b>Community Improvements</b>	\$ -			

<b>DEBT Payments</b>			
Water	\$ 54,927.00	<b>Totals</b>	
Wastewater	\$ 411,115.00		
<b>Total Debt</b>			
Water	\$ 1,404,153.00		
Wastewater	\$ 12,725,784.00		
<b>Total</b>	\$ 14,129,937.00		