

**MISSION STATEMENT: TO PROVIDE A SAFE, HEALTHFUL AND SOUND ECONOMIC ENVIRONMENT,
PROGRESSIVELY ENHANCING OUR QUALITY OF LIFE**

**AGENDA
CITY COUNCIL - CITY OF ONTARIO, OREGON
MONDAY, APRIL 18, 2016, 7:00 P.M., M.T.**

- 1) **CALL TO ORDER**
Roll Call: Norm Crume _____ Tessa Winebarger _____ Charlotte Fugate _____ Marty Justus _____
Larry Tuttle _____ Betty Carter _____ Mayor Ron Verini _____

- 2) **PLEDGE OF ALLEGIANCE**

This Agenda was posted on Wednesday, April 13, 2016. Copies of the Agenda are available at the City Hall Customer Service Counter and on the city's website at www.ontariooregon.org.

- 3) **MOTION TO ADOPT THE ENTIRE AGENDA**

- 4) **CONSENT AGENDA: MOTION ACTION APPROVING CONSENT AGENDA ITEMS**

- A) Minutes of Regular Meeting of 04/04/16 1-7
B) Encroachment Permit Request - Grease Interceptor [Long's Pub] 8-11
C) Utility Billing Write-Offs 12-14
D) Approval of the Bills

- 5) **DEPARTMENT HEAD UPDATES:**

- 6) **PUBLIC COMMENTS:** Citizens may address the Council; however, Council may not be able to provide an immediate answer or response. Out of respect to the Council and others in attendance, please limit your comment to three (3) minutes. Please state your name and city of residence for the record.

- 7) **NEW BUSINESS**
THERE IS NO NEW BUSINESS BEFORE COUNCIL

- 8) **HAND-OUTS/DISCUSSION ITEMS**

- A) Request for Action: Danny Pozzi Goat Rental in City Limits
B) Department Stats: OPD, OF&R - March, 2016
C) County Court Minutes: 03-30-2016, 04-06-2016
D) Financials

- 9) **CORRESPONDENCE, COMMENTS AND EX-OFFICIO REPORTS**

- 10) **EXECUTIVE SESSION: (If needed)**

- A) ORS 192.660(2)(a)

- 11) **ADJOURN**

ONTARIO CITY COUNCIL MEETING MINUTES

April 4, 2016

The regular meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Monday, April 4, 2016, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Tessa Winebarger, Betty Carter, Marty Justus, Larry Tuttle, and Charlotte Fugate.

Members of staff present were Tori Barnett, Mallory Mallea, Kari Ott, Larry Sullivan, Dan Cummings, Marcy Siriwardene, Steve Mallea, Pete Morgan, Cliff Leeper, and Betsy Roberts.

The meeting was recorded and copies are available at City Hall.

Tessa Winebarger led everyone in the Pledge of Allegiance.

AGENDA

The Mayor noted that under department head updates, CH2M was added. Also, two Executive Sessions were added - ORS 192.660(2)(a) and ORS 192.660(2)(e).

Tori Barnett, Interim City Manager, stated the appointment of Bob Quinn to the Budget Board had been added to the Consent Agenda.

Charlotte Fugate moved, seconded by Marty Justus, to adopt the Agenda as amended. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

CONSENT AGENDA

Tessa Winebarger moved, seconded by Betty Carter, to adopt Consent Agenda Item 4A) Minutes of March 21, 2016; 4B) Liquor License Application for Bartenders, Boots and Buckles; 4C) Airport Hangar Lease/Transfer – Pete Morgan; 4D) Approval of the Bills; and Item 4E) Appointment to Budget Board – Bob Quinn. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

DEPARTMENT HEAD UPDATES

Anita Zink, Human Resource Manager, stated Lieutenant Duncan had finished the background check for the Chief of Police candidate, and asked for Council direction on offering the position to the candidate.

Mayor Verini asked what was offered for the position.

Ms. Barnett stated between \$82,000-84,500 was budgeted. Did the Council want to offer the low amount and go from there?

Mayor Verini suggested starting at the \$82,000, and see what happened.

Council consensus to offer the low end first.

Cliff Leeper, CH2M Hill, Public Works Director and Betsy Roberts, CH2M Hill, City Engineer, stated the street sweeper was on its way, and was scheduled to be here the week of the 15th. Staff had fixed the transmission on the current sweeper, too, so things would be moving forward twice as fast. The plan was to go throughout the entire city to try and make up lost ground because of the lack of the sweeper.

Weeds were sprayed at both the airport and golf course, and a secondary spraying for herbicides would not be done until a little bit later in the spring when weeds came up and provided a more active pattern for the herbicide to work. Mowing would be determined once staff understood where they needed to go, and would mow accordingly.

Regarding the Eastside tank, , they were going to replace the 16-inch valve on Tank 3 with a special order valve from Florida. It was not as easy as staff had anticipated because there was a large concrete truss block that required a lot of labor to take care of. Staff would make sure to exercise that valve on a regular basis. As far as the leaking tank on the Eastside, the vendor had been there just a little less than a week, but had the blasting. They are not at a point where they could give detailed results, but they had started to peel the liner off. It was still a little bit difficult to tell where the leak was.

Mayor Verini asked if the timing was on schedule to get it back in operation.

Ms. Roberts stated it was.

Mr. Leeper stated they just completed insulation of the second filter in the water plant. It had not been put online yet, but they did some flushes and disinfected it. Staff was hoping to have it back on line by April 8th. This would provide a longer run time before the filter had to be backwashed, and translated into more production capacity.

Councilor Justus wanted to know the ETA on the water rate study; when were they starting that, how long would it take, when was it going to be available for the new budget.

Ms. Roberts stated they would like to present information at the next Council meeting. They were looking at about a \$40,000 dollar budget.

Councilor Justus asked how long it would take to do the study.

Ms. Roberts stated it could be done in two months.

Councilor Justus asked when the budget was done

Kari Ott, Finance, stated the budget would be finalized by the end of June.

Councilor Justus asked Ms. Roberts if she understood where he was going with his questions.

Ms. Roberts stated she understood, but if the Council wanted new rates, it was going to take passing it though the Council and then implementing it. There would not be a whole lot of income coming in for a while. Decisions had to be made, then implementation throughout the community, and then it will slowly be bringing in money. It would be a year before they'd start to see the budget going back up again.

Councilor Justus asked if the Council needed to look at addressing water and sewer issues in the 2017-2018 budget.

Ms. Roberts stated her recommendation would be to implement the rate increase as soon as possible, but reminded the Council the income would start accumulating slowly.

NEW BUSINESS

ODOT Jobs and Transportation Act (JTA) Funding Options

Betsy Roberts, CH2MHill, City Engineer, presented.

There was \$244,000 available from the Oregon Department of Transportation (ODOT) from the NW Washington project. This money had to be spent on the original project. The extension of North Park Boulevard from NW Washington to Malheur Drive was included in the original design of the NW Washington project and could be included as part of the original project.

ODOT needed direction from the City Council on how to use the money - on the original project or send the money back to ODOT.

Councilor Charlotte Fugate asked if the \$102,000 was firm.

Ms. Roberts stated that it was not. First, ODOT would go and begin negotiating right of ways. They then would come back with the Fair Market Value and would then begin negotiations.

Councilor Crume stated he wanted to make sure they had covered the bases where there was a private enterprise with money that was going to be spent from tax payer money. Had it been proven that road improvement caused this issue, rather than a land owner suggesting that it did?

Ms. Roberts stated it was a little bit fuzzy, but when staff looked at the drawings, there was a difference in what was there now. NW Washington did create more of a barrier than what had been in that area before. The existing mapping staff had before was a little difficult to see which way the water was coming off the property to begin with, but staff felt like this didn't make his life any easier with respect to drainage. So, yes, it probably did.

Councilor Crume stated he was okay if it created it, he just wanted to make sure that due diligence had been done so that tax payers money was being spent properly.

Councilor Tuttle asked if the sidewalk was done, would it interfere with any construction out there in the future?

Ms. Roberts stated it should not at this point. That section was paved already, and it has curbs and gutters. It would just be adding the sidewalk.

Norm Crume moved, seconded by Tessa Winebarger, that the City Council authorize Public Works staff to prepare a letter to ODOT from the Mayor stating that the Council would like to direct the remaining JTA funds from the NW Washington project to be spent on the following items that were part of the original project design: Necessary right of way and easements; Storm drainage modifications at the Winner's Circle Casino; Additional sidewalk, and if funds are still available and it is applicable and has not already been covered previously, and Anderson Perry design fee. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Jost-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

Resolution #2016-111: Accept FAA Grant Funds for 2015 Federal Assistance

Kari Ott, Finance, presented.

The City budgeted for \$95,000 federal grant funds from the Federal Aviation Administration (FAA). However, when the actual grant agreement came through, the grant funds to be received were actually \$196,371. This grant also required a 10% local match, which equated to \$21,819.

Councilor Fugate asked how much money had been expended out of the general fund since the budget – was it less than \$100,000?

Ms. Ott stated yes.

Tessa Winebarger moved, seconded by Charlotte Fugate, that the City Council approve Resolution #2016-111, A RESOLUTION TO RECOGNIZE ADDITIONAL FAA GRANT FUNDS AND AUTHORIZING EXPENDITURE OF THOSE FUNDS. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Jost-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

Resolution #2016-112: Accept/Expend ASD Funds for Fire Department

Kari Ott, Finance, presented.

The Fire Department had received funds in the amount of \$6,717.20 from the Ambulance Service district for the following items: \$4,820.06 fuel reimbursement (\$4,500 was already budgeted); \$718.15 for a Suction Unit; \$179 for a Sawzall; and \$999.99 for a generator. In order to recognize and expend these unexpected funds, a budget change through a supplemental budget resolution was required.

Charlotte Fugate moved, seconded by Betty Carter, that the Council adopt Resolution 2016-112, A SUPPLEMENTAL BUDGET TO RECOGNIZE ADDITIONAL AMBULANCE SERVICE DISTRICT FUNDS AND AUTHORIZING EXPENDITURE OF THOSE FUNDS. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Jost-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

Resolution #2016-113: Adopt Updated Ontario Personnel Policy Manual

Tori Barnett, Interim City Manager, presented.

The City of Ontario's Personnel Policy Manual had not been updated since 2003. Several laws had changed since the last update. The Human Resource Manager worked with the City Council and CCIS to update the City of Ontario's Personnel Policy Manual to reflect the current laws and changes requested by City Council. This had been discussed at the study session last Thursday, and a few corrections had been made.

Councilor Tuttle asked if the loans stayed in or were they taken out.

Ms. Barnett stated that was the one piece that has to be discussed.. It was her understanding that the Council was going to adopt the Policy, contingent on that piece being amended. They could table this piece until that was settled, if that was the direction the council wanted to go. She and Kari Ott had gotten together and discussed the issue. She then sent an email out to the entire staff, asking their opinion. Staff was aware that it could not continue in the manner it was currently being done. Staff was eliminating the mid-month draw, so that would be out regardless. The email asked what the preference was on pay periods, be it once a month, twice a month, the 1st and 15th, or 15th and 31st, that type of thing By 7:00 p.m. that evening, she had received responses back from thirty-one staff members, out of the 45. Of those who responded, two were eliminated as they wanted it left alone, which wasn't an option; four didn't care; five wanted twice a month, and the remaining said once a month.

Mayor Verini asked what about the additional cost.

Ms. Ott stated it was roughly \$5,307 per year, but that didn't calculate in additional staff time in doing more time-sheets. It was just supplies.

Councilor Tuttle asked what the cost was to do the loans.

Ms. Ott stated it probably took her about ten minutes to do the loans.

Councilor Tuttle stated he assume that was one of those no quantified areas. It was interesting to him that nobody knew how much time it took to do something sometimes, like it didn't cost anything

Ms. Barnett stated staff was aware that what was currently being done, was not the route to go. It needed to be fixed.

Councilor Fugate stated if thirty plus people received loans every month, did they understand there would not be a loan anymore? Was that tut with the inquiry?

Ms. Barnett stated yes.

Councilor Tuttle asked if the final draft would do away with the loans.

Ms. Barnett stated that was correct, unless the direction of the Council was to do twice a month. But, the draw itself would be gone. Staff would get paid either once a month or twice a month, period.

Councilor Tuttle stated he had no problem with that, if the majority wanted it just once a month.

Ms. Barnett recommended the Council implement this in the fiscal year, so in the July payroll. This would give staff time to make any necessary changes.

Mayor Verini stated that made sense.

Councilor Justus asked Mr. Leeper how CH2 paid their employees.

Mr. Leeper stated they were paid every other week.

Mayor Verini recommended going to the once a month payroll, beginning in July of the new fiscal year.

Councilor Justus strongly advised the Council to go with a bi-monthly payroll. He stated it was the way most people got paid outside of government. He thought it was a better business practice, whether employees were used to getting paid once a month or not. He wanted the city to take on better business practices.

Mayor Verini stated if the employees, their staff, were happy with once a month, and it saved, on a minimum basis \$5,000 a year, he didn't see the problem.

Councilor Crume agreed, and asked if the Council needed to have a resolution or just a consensus.

Ms. Barnett stated they first needed to decide if they were going to move forward with the policy.

Larry Sullivan, City Attorney, noted the language in the resolution or the draft of the changes in the personal policy included that loan. They needed to add a sentence that stated the loan would terminate as of June 30 2016, or eliminate that language now with the understanding staff would be authorized to allow those loans through the end of year. They could do it either way.

Councilor Justus asked Ms. Ott how often she got paid.

Ms. Ott stated they were every other week.

Norm Crume moved, seconded by Betty Carter, that the City Council adopt Resolution 20106-113, A RESOLUTION TO APPROVE THE UPDATED CITY OF ONTARIO PERSONNEL POLICY MANUAL. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Jost-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

Resolution #2016-114: Txf Funds to Complete Well 17 Construction

Betsy Roberts, CH2MHill, City Engineer, presented.

Staff was requesting additional funding from the Utility Capitalization Fund in order to cover additional costs for Well 17 improvements.

In 2013, Well 17 was drilled and test pumped. However, no well column, valve, controls, piping connecting to existing raw water system, or well building were constructed.

Testing showed the well capable of producing approximately 450 gallons per minute (gpm), potential for over 600,000 gallons in a day. It was a significant benefit to the existing water system by providing more, redundant support for the city's groundwater system.

Specifically, this coming summer, the water treatment plant was scheduled to go through a comprehensive upgrade of the chemical feed system. This upgrade would require close coordination with the contractor in order to allow for construction and to maintain reliable summer flows to the customers. The construction would require that parts of the existing treatment system would need to be shut down for short periods of time. The addition of 450 gallons per minute from a newly operational Well 17 would help assure that the plant could continue to deliver adequate water during this critical construction period.

The project budget was developed a number of years ago and had been carried forward ever since. To get Well 17 functional would require a combined effort of several contractors (licensed well driller, pump installer, electrical, and controls) in addition to the Public Works staff. During preparation of the budget last spring it was not clear to the City Engineer the extent of work still required to make the well operational. In hindsight, it appeared the budget carried forward only accounted for piping, connections, and relocation of the well building over the well (work to be done by Public Works). A revised cost estimate had not been prepared as the project unfolded.

In late 2015, when completed drawings were sent to several individual contractors (controls, electrical, and well driller) for quotes, the estimates were higher than available funds. After review of the estimates, engineering staff felt comfortable that the contractors understood the work contemplated and that the quotes were reasonable. Based on this review, staff would like to move forward with advertising and bidding the project, recognizing that the \$10,000 budget associated with the project was significantly inadequate.

Councilor Fugate asked if they would be going to ask to drill more wells.

Ms. Roberts stated they may at some point. The city's wells were strongly influenced by the Snake River. The water rights stated that it was basically river water. There was slightly more arsenic in that the river tends to run four parts per billion and the wells tended to run about five. The city was well below the standard. Also, the treatment process actually pulled a little out, too. Staff wasn't finding that issue in terms of quality with arsenic

Councilor Crume appreciated her comments, as he knew Fruitland was having the opposite effect.

Tessa Winebarger moved, seconded by Betty Carter, that the City Council approve Resolution #2016-114, A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO COMPLETE WELL 17 CONSTRUCTION. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Jost-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

Bid Award: Malheur Farm Lease 2016-2019

Betsy Roberts, CH2M Hill, City Engineer, presented.

Proposals were received on March 24th, 2016, for the Malheur Farm Lease. Both proposals outlined appropriate measures for managing the 380 acre farm, and the review team rated both proposals nearly equally. Staff requested two proposals from each bidder. The first proposal assumed no improvements to the infrastructure (irrigation system) at the farm, while the second proposal included investment by the city in the irrigation system at the farm. The city's investment would result in a reduced lease amount from the farmer back to the city. Doug Stipe responded to both Bid Alternative A and B, and Sage Farms responded only to Bid Alternative B.

Charlotte Fugate moved, seconded by Tessa Winebarger, that the City Council authorize the City Manager to sign the Malheur Farm Lease contract with Doug Stipe. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Jost-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

HAND-OUTS/DISCUSSION ITEMS

Councilor Justus stated he wanted to talk about the computer program for Code Enforcement. Had they already approved those funds: What was the status?

Steve Mallea, Interim Chief of Police, stated he didn't think they have done anything, and was unsure of the costs.

Councilor Justus replied that he believed it was around \$4900.

Councilor Winebarger stated she talked to Dallas, and he said it was \$4900 for two users, plus an additional \$3,000+ or however often the renewal was, but if staff wanted to add more users, the cost would increase significantly.

Ms. Barnett asked if that amount was for the program or just the users.

Councilor Winebarger stated the \$4900 was first cost, than \$3000+ after that, she believed, annually.

Councilor Justus stated the program was also capable of helping in Planning.

Dan Cumming, Community Development Director, stated they had not looked at it, and one reason was the cost. He might not use a new program much at all. He tracked everything on a spreadsheet. The Building Department had a module for that, but, again, they had a pretty decent one now.

Marcy Siriwardene, Planning Technician, stated the cost was \$99 dollars per year, per user, and they had two users.

Mayor Verini asked the City Manager to work with staff to see if they could get something on the next Agenda that really zeroed in on the program. The program seemed to create efficiency for the ordinance people, and the city was going into its high volume period right now. Try to have something by the next work session.

Ms. Barnett stated she wanted to work with Dallas and IT, and if they came across something, she'd get it to Council ahead of time.

Mayor Verini stated if it was a possibility with the program they had in the Building Department, see if that would possibly be a solution to this problem.

Mr. Cummings stated the building program was written by a local programmer, and Ontario shared it with Fruitland.

ADJOURN

Norm Crume moved, seconded by Tessa Winebarger, that the meeting be adjourned. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Jost-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

APPROVED:

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder

CONSENT AGENDA
April 18, 2016

TO: Mayor and City Council

FROM: Dan Shepard, Engineering Technician

THROUGH: Tori Barnett, Interim City Manager

SUBJECT: RIGHT OF WAY ENCROACHMENT PERMIT – GREASE INTERCEPTOR – LONG’S PUB, 166 SOUTH OREGON STREET

DATE: April 11, 2016

SUMMARY:

Attached is the following document:

- Encroachment Permit Agreement for 166 South Oregon Street
- Exhibit A: Map Showing Location of Proposed Grease Interceptor

Long’s Pub, located at 166 South Oregon Street, has requested an encroachment permit for a grease interceptor. Grease interceptors are required for businesses in the City of Ontario when a Type I Hood is installed. The request is to locate the grease interceptor in the public right of way behind the pub as shown in Exhibit 1 of the agreement (attached). The grease interceptor will be installed in the municipal parking lot adjacent to the alley. This location was chosen because of the difficulty in locating a sufficiently sized device in the basement of the restaurant and the existence of both city and franchised utilities in the alley. The location of the grease interceptor will not interfere with utilities or maintenance in this area.

STAFF RECOMMENDATION:

Staff recommends Council approve the encroachment permit for a grease interceptor for James and Stephanie Contos, Trust, for a Right of Way Encroachment Permit for 166 South Oregon Street.

After Recording Return to:
City of Ontario
Public Works Department
1551 NW 9th Street
Ontario, OR 97914

LICENSE

ENCROACHMENT PERMIT FOR ENCROACHMENT OF A GREASE INTERCEPTOR IN A CITY OF ONTARIO PUBLIC RIGHT-OF-WAY

BETWEEN: THE CITY OF ONTARIO, an Oregon municipal Corporation hereinafter referred to as "City."

AND: James and Stephanie Contos, Trust, 166 South Oregon Street, hereinafter referred to as "Developer."

PREMISES:

WHEREAS, Developer owns lots 7, 6 and the south 9.25 feet of Lot 5 of Block 4, of the Original Townsite of the City of Ontario, Malheur County, Oregon;

WHEREAS, Developer will install a grease interceptor in the public right-of-way as set forth in Exhibit "A" attached hereto and herein incorporated by reference as the "Encroachment."

WHEREAS, City finds that construction of the Encroachment as proposed will not be detrimental to interests of the citizens of Ontario, provided Developer agrees that should the City, its agents, employees, or assigns require use of the Public Utility Easement in the future, Developer, his successors or assigns will remove or relocate said Encroachment at Developer's expense.

NOW THEREFORE, the parties agree as follows:

1. The aforementioned premises are deemed to be true and are herein incorporated by reference as part of this agreement.
2. This agreement is an instrument affecting the title and possession of the Property described above. All of the terms and conditions herein imposed shall run with the land and shall be binding upon and inure to the benefit of the successors in interest of the Developer. Upon any sale or division of the Property, the terms of this agreement shall apply separately to each parcel and the owner of each parcel succeed to the obligation imposed on Developer by this agreement.
3. City grants to Developer a license to use the Public Right-Of-Way adjacent to the Property to construct the Encroachment in accordance with the submitted plans.
4. Nothing contained in this agreement shall be construed to be a waiver of any applicable federal, state, or local building statues, rules, regulations, ordinances, codes or standards or a waiver of any zoning restrictions or required improvements as set forth in the City of Ontario Municipal Code.
5. In the event the City, its employees, agents or assigns should require the use of the Public Right-Of-Way at any time in the future, Developer, his successors or assigns, will remove or relocate the Encroachment at the sole expense of the Developer, his successors or assigns.

6. Should it become necessary for either party to institute action to enforce the terms and provisions of this agreement, the prevailing party shall pay the other party reasonable costs, including attorney fees incurred in the preparation and prosecution of any judicial proceeding or any appeal therefrom.
7. The Developer shall indemnify and hold the City harmless from and against any claims, demands, suits, costs, losses and/or other damages or expenses which may result to any person or property in any manner arising out of or connected with Developer's use of the Public Utility Easement.
8. Developer, will at his own cost and no later than 10 days from the date hereof, record a copy of this Agreement in the County Recorder's Office for Malheur County.
9. The Developer shall not construct or cause to be constructed any appurtenance or other structure in the public right-of-way or the Vision Clearance Triangle.
10. The Developer will restore the disturbed area of the Public Right-Of-Way to its original condition.
11. Pursuant to ORS 093.710 this document is being filed with the Malheur County Recorders Office.

IN WITNESS WHEREOF, this agreement has been executed on this _____ day of _____, 2016

Developer: James Contos _____

STATE OF OREGON)
) ss.
County of Malheur)

This instrument was acknowledged before me this _____ day of _____, 2016, by James Contos, Developer.

Notary Public for the State of Oregon
My Commission Expires _____

Developer: Stephanie Contos _____

STATE OF OREGON)
) ss.
County of Malheur)

This instrument was acknowledged before me this _____ day of _____, 2016, by Stephanie Contos, Developer.

Notary Public for the State of Oregon
My Commission Expires _____

CITY OF ONTARIO:

Cliff Leeper, Public Works Director

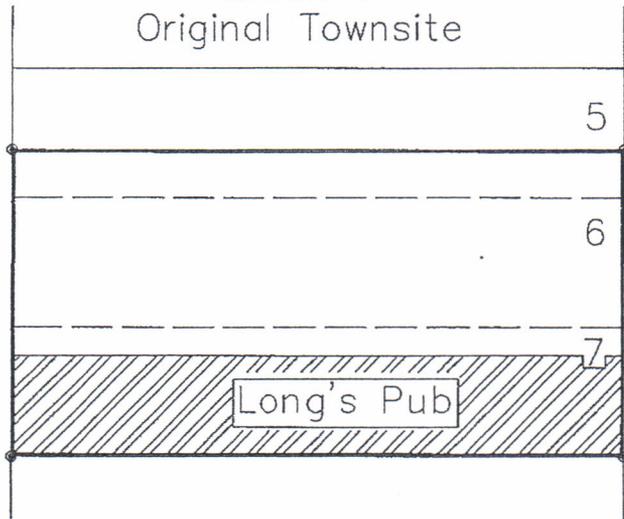
Tori Barnett, Interim City Manager

ATTEST: _____
Mallory Mallea, Executive Assistant



South Oregon Street

Block 4
Original Townsite



16' wide alley

Municipal
Parking Lot

Long's Pub



Grease
Interceptor
Appx.
Location

ENCROACHMENT
166 South Oregon
Long's Pub

Exhibit "A"

CONSENT AGENDA

April 18, 2016

TO: Mayor and City Council

FROM: Kari Ott, CPA

THROUGH: Tori Barnett, Interim City Manager

SUBJECT: APPROVAL OF UTILITY BILLING WRITE-OFF'S

DATE: April 11, 2016

SUMMARY:

Attached is the following document:

- List of utility billing accounts over 120 days old proposed to send to collections

BACKGROUND:

As required by the Allowance for Bad Debts and Write Offs Policy adopted by the City Council, the Council is required to approve accounts for write-off prior to being written off or sent to collections. The attached document reflects accounts 120 past due, which staff would ask to send to collection. This would include all accounts listed, except for any account where the owner is deceased.

STAFF RECOMMENDATION:

Staff recommends the Council approve the list of accounts so they can be sent to collections.

PROPOSED WRITE OFF ACCOUNTS - APRIL 18, 2016 COUNCIL MEETING

ACCOUNT#	DATE FINALED	TOTAL DUE	FINAL BILL		INTEREST TO		AMOUNT TO		AGING	WHEN SENDING TO	
			WAS	WRITE OFF	COLLECTIONS	COLLECTIONS ADD	COLLECTIONS ADD	30% FEE			
003783-000	11/18/2014	\$ 923.71	\$ 180.32	\$ 923.71	\$ -	OVER 120 DAYS	DECEASED				
001494-000	9/10/2015	\$ 74.55	\$ 40.40	\$ 13.77	\$ 60.78	OVER 120 DAYS					79.01
002458-000	7/22/2015	\$ 405.58	\$ 179.00	\$ 136.00	\$ 269.58	OVER 120 DAYS					350.45
003538-000	8/25/2014	\$ 219.85	\$ 33.73	\$ 161.55	\$ 58.30	OVER 120 DAYS					75.79
004441-000	9/22/2015	\$ 173.99	\$ 94.28	\$ 32.14	\$ 141.85	OVER 120 DAYS					184.41
006082-001	7/30/2015	\$ 157.45	\$ 69.57	\$ 52.79	\$ 104.66	OVER 120 DAYS					136.06
007716-005	8/12/2015	\$ 207.12	\$ 97.05	\$ 69.44	\$ 137.68	OVER 120 DAYS					178.98
008924-004	8/8/2011	\$ 1,256.90	\$ 93.15	\$ 1,143.39	\$ 113.51	OVER 120 DAYS					147.56
009385-000	9/23/2014	\$ 1,956.13	\$ 344.79	\$ 1,437.42	\$ 518.71	OVER 120 DAYS					674.32
010201-000	11/18/2015	\$ 73.17	\$ 48.64	\$ -	\$ 73.17	OVER 120 DAYS					95.12
010806-001	9/23/2014	\$ 112.18	\$ 21.90	\$ 79.23	\$ 32.95	OVER 120 DAYS					42.84
010912-000	10/21/2015	\$ 242.75	\$ 145.69	\$ 23.56	\$ 219.19	OVER 120 DAYS					284.95
010989-001	7/2/2015	\$ 318.89	\$ 128.97	\$ 127.50	\$ 191.39	OVER 120 DAYS					248.81
011176-000	9/23/2014	\$ 1,351.06	\$ 238.14	\$ 992.79	\$ 358.27	OVER 120 DAYS					465.75
011207-000	3/10/2015	\$ 600.64	\$ 26.51	\$ 560.76	\$ 39.88	OVER 120 DAYS					51.84
011502-001	8/20/2014	\$ 942.91	\$ 158.31	\$ 717.15	\$ 225.76	OVER 120 DAYS					293.49
011653-000	8/20/2014	\$ 205.93	\$ 36.30	\$ 151.32	\$ 54.61	OVER 120 DAYS					70.99
011794-001	8/1/2014	\$ 396.42	\$ 43.75	\$ 310.71	\$ 85.71	OVER 120 DAYS					111.42
011800-001	9/15/2014	\$ 932.04	\$ 164.28	\$ 684.89	\$ 247.15	OVER 120 DAYS					321.30
011832-003	9/9/2015	\$ 105.43	\$ 57.15	\$ 19.47	\$ 85.96	OVER 120 DAYS					111.75
011908-001	10/21/2015	\$ 301.87	\$ 181.17	\$ 29.30	\$ 272.57	OVER 120 DAYS					354.34
012034-001	4/14/2015	\$ 211.45	\$ 68.79	\$ 107.97	\$ 103.48	OVER 120 DAYS					134.52
012197-000	11/18/2014	\$ 769.32	\$ 150.18	\$ 543.39	\$ 225.93	OVER 120 DAYS					293.71
012343-000	11/18/2014	\$ 200.15	\$ 39.07	\$ 141.37	\$ 58.78	OVER 120 DAYS					76.41
012399-001	4/22/2015	\$ 300.86	\$ 97.85	\$ 153.65	\$ 147.21	OVER 120 DAYS					191.37
012416-000	3/18/2015	\$ 1,572.62	\$ 428.10	\$ 945.23	\$ 627.39	OVER 120 DAYS					815.61
012506-003	8/14/2015	\$ 231.35	\$ 108.37	\$ 77.58	\$ 153.77	OVER 120 DAYS					199.90
012509-001	5/8/2015	\$ 387.38	\$ 128.45	\$ 197.83	\$ 189.55	OVER 120 DAYS					246.42
012551-001	5/20/2015	\$ 459.46	\$ 107.39	\$ 297.90	\$ 161.56	OVER 120 DAYS					210.03
012623-000	12/21/2015	\$ 162.63	\$ 119.72	\$ -	\$ 162.63	OVER 120 DAYS					211.42
012867-000	10/31/2014	\$ 578.79	\$ 102.01	\$ 425.31	\$ 153.48	OVER 120 DAYS					199.52
012908-000	12/1/2014	\$ 753.26	\$ 147.04	\$ 532.04	\$ 221.22	OVER 120 DAYS					287.59
012939-000	2/25/2016	\$ 219.03	\$ 58.09	\$ 219.03	\$ 87.39	OVER 120 DAYS					-
013059-000	12/21/2015	\$ 30.99	\$ 22.81	\$ -	\$ 30.99	OVER 120 DAYS					40.29

PROPOSED WRITE OFF ACCOUNTS - APRIL 18, 2016 COUNCIL MEETING

ACCOUNT#	DATE FINALED	TOTAL DUE	FINAL BILL		INTEREST TO		AMOUNT TO		AGING	WHEN SENDING TO	
			WAS	WRITE OFF	COLLECTIONS	COLLECTIONS ADD	30% FEE				
013060-000	8/20/2014	\$ 1,171.69	\$ 206.53	\$ 860.98	\$ 310.71	\$ 403.92	OVER 120 DAYS	\$			
013062-000	12/15/2014	\$ 681.97	\$ 140.83	\$ 481.69	\$ 200.28	\$ 260.36	OVER 120 DAYS	\$			
013153-000	7/23/2014	\$ 966.03	\$ 153.74	\$ 734.74	\$ 231.29	\$ 300.68	OVER 120 DAYS	\$			
013161-000	9/23/2014	\$ 596.77	\$ 105.19	\$ 438.52	\$ 158.25	\$ 205.73	OVER 120 DAYS	\$			
013168-000	2/13/2015	\$ 207.45	\$ 55.02	\$ 124.69	\$ 82.76	\$ 107.59	OVER 120 DAYS	\$			
013174-000	7/22/2015	\$ 314.76	\$ 130.06	\$ 105.54	\$ 209.22	\$ 271.99	OVER 120 DAYS	\$			
013226-000	7/7/2014	\$ 246.55	\$ 39.24	\$ 187.52	\$ 59.03	\$ 76.74	OVER 120 DAYS	\$			
013276-000	8/13/2014	\$ 108.87	\$ 21.25	\$ 76.91	\$ 31.96	\$ 41.55	OVER 120 DAYS	\$			
013281-000	10/31/2014	\$ 666.19	\$ 117.44	\$ 489.52	\$ 176.67	\$ 229.67	OVER 120 DAYS	\$			
013283-000	10/21/2015	\$ 265.04	\$ 159.07	\$ 25.73	\$ 239.31	\$ 311.10	OVER 120 DAYS	\$			
013289-000	4/20/2015	\$ 180.42	\$ 58.68	\$ 92.13	\$ 88.29	\$ 114.78	OVER 120 DAYS	\$			
013298-000	10/2/2015	\$ 141.70	\$ 78.63	\$ 26.17	\$ 115.53	\$ 150.19	OVER 120 DAYS	\$			
013321-000	5/20/2015	\$ 455.34	\$ 164.01	\$ 208.59	\$ 246.75	\$ 320.78	OVER 120 DAYS	\$			
013334-000	8/19/2015	\$ 380.44	\$ 186.16	\$ 100.38	\$ 280.06	\$ 364.08	OVER 120 DAYS	\$			
013339-000	12/21/2015	\$ 163.06	\$ 120.04	\$ -	\$ 163.06	\$ 211.98	OVER 120 DAYS	\$			
013347-000	2/20/2015	\$ 552.49	\$ 146.51	\$ 353.47	\$ 199.02	\$ 258.73	OVER 120 DAYS	\$			
013356-000	11/18/2014	\$ 731.51	\$ 142.80	\$ 516.68	\$ 214.83	\$ 279.28	OVER 120 DAYS	\$			
013379-000	11/18/2015	\$ 146.61	\$ 97.45	\$ -	\$ 146.61	\$ 190.59	OVER 120 DAYS	\$			
013409-000	5/20/2015	\$ 263.98	\$ 95.09	\$ 120.92	\$ 143.06	\$ 185.98	OVER 120 DAYS	\$			
013410-000	1/31/2015	\$ 813.54	\$ 58.80	\$ 725.08	\$ 88.46	\$ 115.00	OVER 120 DAYS	\$			
013414-000	7/30/2015	\$ 123.15	\$ 60.00	\$ 41.29	\$ 81.86	\$ 106.42	OVER 120 DAYS	\$			
013427-000	8/11/2015	\$ 421.05	\$ 192.92	\$ 141.18	\$ 279.87	\$ 363.83	OVER 120 DAYS	\$			
013438-000	7/2/2015	\$ 1,092.28	\$ 452.44	\$ 436.71	\$ 655.57	\$ 852.24	OVER 120 DAYS	\$			
013447-000	1/2/2015	\$ 178.12	\$ 42.64	\$ 113.97	\$ 64.15	\$ 83.40	OVER 120 DAYS	\$			
013509-000	9/17/2015	\$ 101.44	\$ 54.97	\$ 18.74	\$ 82.70	\$ 107.51	OVER 120 DAYS	\$			
013510-000	9/25/2015	\$ 141.16	\$ 76.50	\$ 26.07	\$ 115.09	\$ 149.62	OVER 120 DAYS	\$			
013511-000	5/20/2015	\$ 334.15	\$ 120.36	\$ 153.07	\$ 181.08	\$ 235.40	OVER 120 DAYS	\$			
013529-000	6/9/2015	\$ 72.08	\$ 28.76	\$ 28.82	\$ 43.26	\$ 56.24	OVER 120 DAYS	\$			
013532-000	8/19/2015	\$ 248.27	\$ 85.79	\$ 83.25	\$ 165.02	\$ 214.53	OVER 120 DAYS	\$			
013549-000	12/16/2015	\$ 70.60	\$ 51.97	\$ -	\$ 70.60	\$ 91.78	OVER 120 DAYS	\$			
013560-000	10/1/2015	\$ 41.58	\$ 22.54	\$ 7.68	\$ 33.90	\$ 44.07	OVER 120 DAYS	\$			
013620-000	6/24/2015	\$ 363.53	\$ 145.02	\$ 145.35	\$ 218.18	\$ 283.63	OVER 120 DAYS	\$			
013640-000	6/23/2015	\$ 604.50	\$ 243.10	\$ 241.69	\$ 362.81	\$ 471.65	OVER 120 DAYS	\$			
013644-000	7/22/2015	\$ 324.59	\$ 143.41	\$ 108.84	\$ 215.75	\$ 280.48	OVER 120 DAYS	\$			
013663-000	12/17/2015	\$ 164.76	\$ 117.66	\$ -	\$ 164.76	\$ 214.19	OVER 120 DAYS	\$			
013678-000	9/9/2015	\$ 66.54	\$ 36.06	\$ 12.29	\$ 54.25	\$ 70.53	OVER 120 DAYS	\$			
				\$ 17,612.69	\$ 11,789.06						

TOTAL TO COLLECTIONS \$ 11,789.06

Discussion/Information /Hand-Out Items

City Council Meeting
April 18, 2016



City of Ontario
 POLICE DEPARTMENT
 Office of the Chief
 444 SW 4th Street
 Ontario, OR 97914
 Voice (541)889-5312 Ext. 2303
 Fax (541)889-3026

To: Ontario City Council
 Date: April 12, 2016, 2016
 Re: Department Statistics for March, 2016

Activity	Month of March	Previous Month	Year to Date	Prior Year to Date
Calls for Service	759	797	2261	2213
Traffic Stops	97	81	275	507
Cited Traffic Violations	60	56	173	304
Motor Vehicle Crashes	39	24	97	94
Arrests	66	69	219	238
Arrests w/ Use of Force	3	0	5	2
Citizen Complaints	0	0	0	0
Cases to Dist. Attorney	74	71	213	175
Ordinance Cases Total	103	69	248	234
Ordinance-Weeds	1	1	2	6
Ordinance-Garbage	3	0	8	20
Dogs to Ani-Care	6	5	25	24
Junk/Vehicles	24	6	35	54
Death Investigations	6	1	10	3
SRO Cases	30	33	94	78
Gang Related Cases	6	13	19	30
Gang Designations	0	0	0	2
Task Force Cases	2	0	5	14
Graffiti	7	17	24	32
Burglary	11	7	31	21
Robbery	1	0	2	1
Larceny	61	56	170	115
Assault	10	8	23	14
Homicide	0	0	0	0
Sex Crimes	1	1	2	4
Alarms	16	15	46	43
Property Loss/Recover	\$30,343/\$2608	\$41,769/\$6431	\$147,275/\$10,789	\$82,035/\$9656

MALHEUR COUNTY COURT MINUTES

MARCH 30, 2016

The Malheur County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois.

Also present was Shelly Dennis and Hilda Mejia.

HEALTH DEPARTMENT - TOBACCO PREVENTION AND EDUCATION PROGRAM (TPEP)

Health Department Director Angela Gerrard and RN Rebecca Stricker met with the Court to follow-up on previous discussion regarding the Tobacco Prevention and Education Program (TPEP). Ms. Gerrard has not received a response from the Rede Group regarding how much it may cost to contract with them to provide the TPEP services. Ms. Gerrard did visit with the State (Oregon Health Authority) about possible consequences of discontinuing the Program. No financial penalties would be imposed by the State; however, temporary or permanent elimination of the program would result in losing the TPEP State funds (currently approximately \$61,000 is received annually from the State for TPEP).

Ms. Gerrard explained that the Health Department would still be mandated by law to do some parts of the work with no financial support or guidance from the State, such as Indoor Clean Air Act Compliance; as well as being professionally obligated to continue other aspects of the work, such as helping employers develop a tobacco free work campus or assisting health care providers seeking guidance about cessation services. Additionally, Malheur County would be the only county to refuse TPEP, leaving no local entity to provide comprehensive prevention work for a problem that is the leading cause of death and disease and economically burdensome. And, if the Health Department does not continue tobacco prevention work, they will essentially have to start from scratch when public health modernization makes them responsible for ensuring it happens in the county (estimated to be in 2-5 years).

Mackenzie McCreary from the Argus Observer joined the meeting.

Ms. Gerrard reviewed the following three options for the Program:

- Make no staffing changes. Continue to put in time as best as possible with existing staff for the rest of the year or until the hiring freeze lifts, knowing that some money will need to be returned to the State. Or, Relinquish TPEP.
- Contract the work. Contract with someone to do TPEP using exclusively TPEP funds. The contract could be renewed yearly, or once the hiring freeze lifts, the job could revert to a regular position. Ideally the person would be local, and thus have the advantage of knowing, understanding, and having a stake in the community.
- Fill the vacancy as usual. Make an exception to the hiring freeze for this position, as there is substantial State funding to support it. This would be the most efficient use of resources, as efforts were already dedicated to the process of identifying a new staff person who is ready to start.

Commissioner Wilson asked how many Indoor Clean Air Act complaints the Department receives; Mr. Gerrard estimated the numbers as one per month.

Commissioner Hodge indicated he was not receptive to making a decision until the 2016-2017 budget process is completed; Commissioner Wilson concurred.

Commissioner Wilson asked if there was a certain deadline; Ms. Gerrard explained that the State will need to redistribute the County's funding to other entities as soon as feasible; and staff could continue to assist with the Program work as they have time for the remainder of this fiscal year.

Larry Meyer of the Argus Observer joined the meeting.

The Court further discussed the Program with Ms. Gerrard and Ms. Stricker. Ms. DuBois indicated that the Program work should be completed utilizing existing staff for the current fiscal year as well as the next fiscal year. Judge Joyce requested Ms. Gerrard further discuss the Health Department budget with Ms. DuBois.

Ms. McCreary left the meeting.

ROAD DEPARTMENT

Road Supervisor Richard Moulton met with the Court regarding several matters. Commissioner Hodge moved to approve Residential Lease Agreement with Ashley Giacomo for the property located at 5688 John Day Highway, Brogan. Commissioner Wilson seconded and the motion passed unanimously. See instrument # 2016-1056

Commissioner Wilson moved to approve Local Agency Agreement Highway Safety Improvement Program (HSIP) Region 5 Local Jurisdiction Sign Upgrades 2016 Various County Roads Malheur County Key #19509, Misc. Contracts and Agreements No. 31233 with the State of Oregon, Department of Transportation. Commissioner Hodge seconded and the motion passed unanimously. Under the agreement the State will construct sign upgrades along Hyline Road, Owyhee Lake Road and Yturri Blvd. A copy will be returned for recording.

Commissioner Wilson moved to approve three Crossing Permits to Idaho Power: Permit #07-16 on Owyhee Lake Road #597 to replace recloser; Permit #08-16 on Owyhee Lake Road #597 to replace a pole and recloser; and Permit # 06-16 on Morgan Avenue to install an overhead transformer bank. Commissioner Hodge seconded and the motion passed unanimously. The original permits will be kept on file at the Road Department.

EXTENSION OFFICE - PROGRAM UPDATES

Extension Faculty Members Stuart Reitz, Sergio Arispe and Bill Buhrig met with the Court and gave a presentation of program updates.

Family & Community Health (FCH), Supplemental Nutrition Education & Non-traditional 4-H - Program Coordinator Barbara Brody

Critical Issues Related to Youth and Families:

- Food Insecurity: Overall poverty rate is the highest in the state (Malheur County 27.4%/Oregon 16.2%). Highest child poverty rate in the state (Malheur County 37.5%/Oregon 21.7%).

- Obesity: Oregon now has the 34th highest adult obesity rate in the nation. Adult obesity rate in Malheur County is 29.7%/Oregon 25.6%. Low-income preschool obesity rate in Malheur County is 20.6%/Oregon 25.6%.
- Need for positive out-of-school activities for youth and families to engage in.

Family & Community Health - Better Bones & Balance®

- Research-based, targeted exercise program to reduce the incidence of falls. Improves functional outcomes; Greater leg strength, Improved balance; Greater hip strength; Increased muscular power. Secured \$5,000 in grant funds to implement this program in Malheur County.

Supplemental Nutrition Assistance Program Education (SNAP-Ed) - Nutrition education, physical activity, and health living programs serving low-income families in Malheur County.

- Food Hero: Foodhero.org is a go-to-site for quick, tasty, health recipes and helpful tips. Food Hero messaging, marketing, and recipe information is available at Red Apple, Grocery Outlet, and Albertson's. Over \$80,000 in grant funds received to support SNAP-Ed programs in Malheur County

Non-traditional 4-H: School Enrichment and Afterschool Programs

- STEM (Science, Technology, Engineering, and Math) education at local schools
- SMILE (Science & Math Investigative Learning Experiences)
- Lego Robotics
- Aviation
- Entrepreneurship
- Financial Literacy
- Health Living
- Horticulture
- Teen Leadership

Accomplishments include securing approximately \$15,000 in grant funds to support new non-traditional local 4-H programs and youth camp experiences; \$80,000 in grant funds to support SNAP-Ed programming for youth and families in Malheur County; \$5,000 in grant funds to start a new exercise program to reduce the risk of falls; and production of over 3,000 pounds of fresh produce for the local pantry at the Four Rivers Community Garden in partnership with the Community Garden Team.

Traditional 4-H - Program Coordinator Melissa Sherman

2016 Numbers

- 280 4-H members
- 48 volunteers
- 33 clubs
- 32 Cloverbuds (Clubs in Ontario, Adrian, and Vale)

The 2016 Kick-Off Awards Banquet was held. Cloverbud Day Camp will be in the summer; Next Level Livestock Camps are May 28-29; and the County Fair is August 2-6, 2016.

Livestock & Rangeland - Field Faculty Member Sergio Arispe

Extension Programs:

- Western Juniper Field Day was held in Juntura and Ironside with 50 participants
- Cow-Calf BQA Certification Workshop - 31 Certifications
- Feedlot BQA Certification Workshop (Mr. Arispe is the State Coordinator) - Managers Workshop had 5 Certifications; Processors Workshop had 5 Certifications and was held in Spanish
- Artificial Insemination Certification Workshop - 22 Certifications
- Veterinary Feed Directive Workshop - 15 Participants
- Post-Fire Grazing Field Day - 36 Participants

Research Programs:

- Rehabilitating rangelands on degraded sage-grouse habitat in southeastern Oregon
- Alternative feedstuffs for rangeland-based beef producers
- Rangeland Monitoring using GIS techniques and Google Earth Pro

Crops - Bill Buhrig

- Pesticide collection was held in October 2015. 9959 lbs. were collected from approximately 15 producers; and three 10-wheeler loads of empty containers were collected.
- 2nd Annual Organic Production Seminar was held in December 2015; there is a lot of interest in the seminar and it was all sponsored; plans are underway for the 3rd Annual Organic seminar in December 2016
- Mr. Buhrig was the co-chair of the Treasure Valley Irrigation Conference held in Ontario last December; the 2016 conference will be in Nampa, Idaho.

2015 had a variety of "Funky Stuff" in the field

- Barley Yellow Dwarf Virus in wheat
- Stripe rust in wheat, a stripe fungus in beardless barley
- Lygus damage in forage alfalfa
- Problems related to: June heat wave; and Crop rotations that aren't because of the drought conditions

2016 Efforts

- Pumpkin project continues
- Work relating to remote irrigation moisture monitoring
- Submitted a proposal to track the aphids that transmit Barley Yellow Dwarf Virus
- Quinoa growing at Experiment Station
- Herbicide and insecticide trials for Alfalfa Seed

The Good News!

- The drought: we are in a better place this year
- Discussions have turned towards old alfalfa stand removal

- Small acreage options also seem to be in demand
- Should be able to stretch crop rotations and relieve some disease pressure

Cropping Systems - Stuart Reitz

Mr. Reitz explained that Extension staff is there to support the farmers, ranchers, and local community. The issues and priorities are always changing. Various issues are related to horticulture, insects, nematodes, weeds, economics, abiotic factors, food safety, and pathogens.

Priorities and Programs include Pesticide Registrations; finding new herbicides and insecticides or new uses for already existing materials. Training classes and workshops are offered - 360 persons have attended recertification classes and 15 persons were trained for pesticide exams.

The Food Safety Modernization Act continues to be a priority. Research continues for "bullet-proof" evidence related to water and onion production. Educational programs will be held over the next few years related to compliance of the Food Safety Modernization Act.

Pest management issues continue - both old problems and new problems for growers.

Roundup Resistant Creeping Bentgrass may be challenging. An excerpt from an OSU study related to Creeping Bentgrass reads "...it was unrealistic to think that containment or eradication of GRCB could be accomplished."

A Master Gardener Program may begin in the future; and OSU's Benny Beaver will again be at the Malheur County Fair.

Ms. Dennis and Ms. Mejia left the meeting.

WEED DEPARTMENT

Weed Inspector Gary Page and Weed Advisory Board Chair Jerry Erstrom met with the Court. Mr. Erstrom and Mr. Page explained that the Weed Advisory Board has recommended the addition of genetically engineered Glyphosate Tolerant Creeping Bentgrass (GTCB) to the Noxious Weed List as a Class "A" weed; and the addition of Ravenna grass as a Class "B" weed.

GTCB poses a threat to the economy and ecology of Malheur County as it cannot be controlled with Glyphosate (Roundup). The creator of this genetically modified plant has worked out an agreement with USDA APHIS to stop control measures at the end of 2016; this will essentially leave control costs and efforts up to the landowners of Malheur County. Additionally, GTCB is known to hybridize with other related grass species; hybridization is a definite threat to the seed and export commodities markets throughout Oregon.

The Weed Advisory Board is concerned about the seemingly sudden appearance of Ravenna grass. There are at least seven known sites already present in the County and it is likely that more will be found. Ravenna grass has been problematic for irrigation districts in Washington and California. If left unchecked it will most certainly cause added costs and maintenance headaches for all irrigation district in the County.

The Court requested a public hearing be scheduled to consider the addition of the two plants to the County's Noxious Weed List.

Mr. Page also presented a contract for weed spraying for the Court's consideration. Commissioner Hodge moved to approve Professional Services Contract for Weed Spray Application with The Plantworks, LLC. Commissioner Wilson seconded and the motion passed unanimously. See instrument #2016-1055

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of March 16, 2016 as written. Commissioner Wilson seconded and the motion passed unanimously.

FAIR BOARD

The Court received the written resignation of Bonnie Christensen from the Fair Board. The Court signed a thank you letter to Ms. Christiansen.

SUPPLEMENTAL BUDGET

Commissioner Hodge moved to approve Resolution No. R16-7: In the Matter of Fiscal Year 2015/2016 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Wilson seconded and the motion passed unanimously. The supplemental budget resolution allocates the spending of rental funds which were received, but not anticipated when the adopted budget was prepared. The funds are to be used to cover expense of the Brogan rental property and to pay on the loan for the gravel pit. See instrument #2016-1054

BUDGET BOARD

There is still one vacancy on the County Budget Board.

CHECK REGISTER

Accounting Specialist Judy Bond met with the Court. The Court signed the Accounts Payable (AP) register for February 2016.

COURT ADJOURNMENT

Court was adjourned.

MALHEUR COUNTY COURT MINUTES

APRIL 6, 2016

The Malheur County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois.

ASSESSOR'S OFFICE - GRANT RESOLUTION

Assessor Dave Ingram met with the Court and presented the Assessment and Taxation grant application which partially funds the office. Commissioner Hodge moved to approve Grant Application Resolution 2016-2017. Commissioner Wilson seconded and the motion passed unanimously. By approving the resolution, the County agrees to appropriate the budgeted dollars based on 100% of the expenditures certified in the grant application in the amount of \$913,961. Increases to the budget from last year were reflected in Personal Services and Small Equipment which is for two printers and two office chairs. See instrument # 2016-1145

Mackenzie McCreary from the Argus Observer joined the meeting.

ROAD DEPARTMENT

Road Supervisor Richard Moulton met with the Court. Mr. Moulton updated the Court on an equipment purchase; he is purchasing a Grizzly - a 12 foot midsize adjustable bar material separator; the purchase price is \$11,900. The Court had no concerns to the purchase.

Mr. Moulton presented a Crossing Permit for the Court's consideration. Commissioner Hodge moved to approve Crossing Permit #09-16 to Idaho Power on Cedar Road #945 to install an overhead transformer bank. Commissioner Wilson seconded and the motion passed unanimously. The original permit will be kept on file at the Road Department.

Mr. Moulton also explained that staff will be graveling the campsite at Bully Creek Park; the Park budget will fund the gravel purchase.

Pat Caldwell from the Malheur Enterprise joined the meeting.

Commissioner Wilson and Mr. Moulton briefly visited about road issues in the Jordan Valley area.

COURT MINUTES

Commissioner Wilson moved to approve Court Minutes of March 30, 2016 as written. Commissioner Hodge seconded and the motion passed unanimously.

SUPPLEMENTAL BUDGET

Commissioner Hodge moved to approve Resolution No. R16-9: In the Matter of Fiscal Year 2015/2016 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Wilson seconded and the motion passed unanimously. The supplemental budget allocates the spending of additional VAWA grant funds in the amount of \$6,235 that were received but not anticipated when the adopted budget was prepared - funds are to be used for victims' services; and allocates the spending of additional transfer funds from Community Corrections in the amount of \$15,700 for Jail projects and Repairs. See instrument # 2016-1146

BUDGET BOARD VACANCY

There is still one vacancy on the County Budget Board.

AMENDMENT - IGA #147797

Commissioner Wilson moved to approve Ninth Amendment to Oregon Health Authority 2015-2017 Intergovernmental Agreement for the Financing of Community Addictions and Mental Health Services Agreement # 147797. Commissioner Hodge seconded and the motion passed unanimously. The amendment adds a new Service Element, MHS 36 Pre-Admission Screening and Resident Review Services; adds a new Specialized Service, MHS 35A Gero-Specialist; and amends the Financial Assistance Award. A copy will be returned electronically for recording.

COOPERATIVE ASSISTANCE AGREEMENT

Commissioner Wilson moved to approve Cooperative Assistance Agreement between the counties of Baker, Gilliam, Grant, Harney, Hood River, Malheur, Sherman, Umatilla, Union, Wallowa, Wasco and/or Wheeler County. The agreement is to assist local emergency managers in sharing resources in the event of a major emergency or disaster. This agreement replaces the agreement that was signed January 2016 as it was found that there was an error in the ORS "Whereas" line. See instrument # 2016-1148

BUDGET TRANSFER RESOLUTION

Commissioner Hodge moved to approve Resolution No. R16-10: In the Matter of Fund Transfers Under Local Budget Law ORS 294.463. Commissioner Wilson seconded and the motion passed unanimously. The fund transfers are from the Community Corrections Fund to the Jail in the amount of \$15,700. See instrument #2016-1147

WOLF GRANT AGREEMENT

Commissioner Wilson moved to approve Oregon Department of Agriculture Wolf Compensation and Financial Assistance 2016 Grant Agreement. Commissioner Hodge seconded and the motion passed unanimously. Grant funds are in the amount of \$495. A copy will be returned for recording.

JAIL INSPECTION

The Court members performed the annual jail inspection. See instrument #2016-1155

COURT ADJOURNMENT

Court was adjourned.

ONTARIO FIRE & RESCUE



MARCH 2016 ACTIVITY REPORT

Emergency Medical:

City -160-

Rural -12-

(Types of medical calls responded to: Falls with injury, fall lift assists, medical emergencies, medical alarms, assaults to name a few).

Hazmat Team Calls: -- Outside district

Fire Related Emergency Calls:

Rural Fire Incidents -2- RURAL GENERAL ALARMS -1- MUTUAL AID -0-

- 1 – Reported structure fire – legal burn with permit * *General alarm sounded / cancelled* (Duty Crew handled)
- 1 - Dispatched for fire alarm & cancelled en-route

City Fire Incidents -13- CITY GENERAL ALARMS = -1- MUTUAL AID --

- 1 – Vehicle crash / injured extrication * **General Alarm sounded** (City Pumper 103 responded with a crew of 4)
- 1 – Smoke system activation / faulty detector – no fire (Duty Crew handled)
- 1 – Fire Alarm system activation / no fire (Duty Crew handled)
- 4 – Alarm system activation – canceled en-route (Duty Crew handled)
- 1 – Locked out of apartment * (Duty Crew handled)
- 1 – Power pole fire - * (Duty Crew handled)
- 1 – Illegal burn (Duty Crew handled)
- 1 – Power transformer arc / unable to locate (Duty Crew handled)
- 1 – Hazardous material release * (Duty Crew handled)
- 1 – Sprinkler water flow alarm / leak - no fire * (Duty Crew handled)

***In narrative section**

**3/7/2016 “CITY” SW 2nd St & SW 3rd Ave. Vehicle crash (CITY GENERAL)
Pumper 103 responded with a crew of four.**

Engine 103 responded to assist R1 for an extrication on a two car MVA, on scene 103 assisted removing the passenger front door. 103 assisted removing the PT and with PT packaging. 103 cleared the scene at 1129hrs.

3/9/2016 “CITY” 1155 SW Park Blvd. Power pole fire (Duty Crew handled)

Dispatched to 1155 S Park Blvd. for report of a power pole on fire. Rescue arrived to find a utility pole on fire above 2 transformers. The pole was burning around a mounting bolt that went through the pole to attach two wire supports. The power was off to a house across the street but the occupants could not be contacted. Flame lengths were about 6 inches. Rescue received a medical call and 156 replaced rescue to wait for Idaho Power to come and disconnect the power. Once on scene, Idaho power determined they could handle the situation and 156 cleared the scene.

3/12/2016 "CITY"465 SW 2nd St. Locked out of apartment (Duty Crew handled)

A distraught person stopped by the station stating that they locked had themselves out of the house and there were two children inside. 156 responded. On scene the door was locked and all windows were locked and the Manager was out of town. The occupants were very agitated and said they can't wait to get the children out. I told them that I could get in but not without damage to the door. They stated that they didn't care; they needed to get into the apartment to get to the children. A halagan was used to make forced entry. 156 cleared after getting the occupants information.

3/15/2016 "HAZMAT RESPONSE" I84 West Bound MP 347 Semi Accident

Hazmat team responded with a crew of 7 and both Hazmat Units.

Hazmat response requested for a fatal semi truck collision with a possible hazrdous substance release. Both west and east bound lanes were shut down during the incident. Team monitored the air around the scene and sampled the spilled product.



Fatal truck crash on I-84 West Bound / Hazmat team response for unkown chemical spill.



3/23/2016 "RURAL" 1103 NW 20th Ave Reported structure fire / legal open burn *General alarm sounded / cancelled* (Duty Crew & Chief handled)

Received a General Alarm for a possible structure fire. A truck driver at Loves Truck Stop observed flames and smoke coming from above the structure's roof and thought the structure was on fire. No other reports concerning a structure fire were received by the Dispatch Center. Arrived on scene to find a supervised burn pile in an open yard area. Command 100 made contact with the owner who stated that he did have a burn permit. Command 100 canceled all fire unit responses prior to units leaving the station. Notified dispatch and cleared the scene.

3/25/2016 "CITY" 1775 East Lane Hazardous material release investigation (Duty Crew handled)

R1 was contact by MCSO dispatch to speak with Officer Cooper from OPD. The officers were out with a vehicle that they believed contained a chemical suicide. They asked if R1 was able to respond to do air monitoring of the vehicle to see if the vehicle and area surrounding the vehicle was clear for police to investigate the crime scene. 142, 147 approached the vehicle in full PPE from upwind and check vehicle for any visible signs of booby traps or devices. No weapons were seen. The individual was under a green tarp, and did not appear to be moving. The driver's side rear door was opened and the individual's head was right against the door. The MSA 4 gas monitor was used and the monitor read no changes in air inside vehicle. The tarp was lifted to check victim and check for obvious weapons or devices. There were no weapons visible and no readings on the monitor. There were two 20# bottles of nitrogen on the floor of the rear passenger seat area, the bottles both had 4' garden hose sections taped on the nozzle of the bottles with duct tape. The bottle valves were in off position. There were also two 5 gallon propane bottles on the rear passenger floor of the vehicle both of those valves are in off position. All monitor readings remained unchanged. The deceased individual in the back seat was lying with head on driver's side and feet were on the passenger side. There were obvious signs of modeling and lividly in the deceased individual's body. The officers were able to access the vehicle with all clear of the vehicle for possible chemical contamination. R1 stayed on scene to assist LEO's until medical director calls with instruction. OPD releases R1 upon MD direction.

3/31/2016 "CITY" 44 SE 9th Ave. Ontario Produce *Sprinkler water flow alarm* (Duty Crew handled)

Dispatched for fire alarm at Ontario Produce . Arrived on scene and found no smoke showing from the exterior. Accessed the fire alarm system panel which showed water flow alarm in North storage area. Made contact with a facilities person who provided access to the North storage area. No smoke or fire present. Found a backflow prevention device leaking water along the east wall. Shut off valves to stop water flow, also notified owner that he would need to contact the alarm company to reset the alarm system. Owner stated they were contacting the sprinkler system company to repair the leak and would also contact the alarm company. Notified dispatch and cleared the scene.

COMMUNITY INVOLVEMENT:

3/4 Special Olympics Penguin Plunge

3/12 St. Peter School Ultimate Run

STATION TOURS:

3/16 Sister City Youth visit



3/18 Home schooled group – 8 students

3/30 MCCDC – 17 children

3/31 MCCDC – 17 children

BURN PERMITS ISSUED:

City Open Burns 6

City Barrel Permits 3

Rural Open Burns 137

Rural Barrel Permits 18

FIRE PREVENTION / INSPECTIONS:

2

SMOKE DETECTOR INSTALL:

1

FIREFIGHTER TRAINING:

- 3/1 Patient Assessment – Review of Recent Cases**
- 3/8 Thermal Imaging**
- 3/12 – 3/13 Essentials Weekend #2**
- 3/15 Air Management**
- 3/22 Engine Company Drill**
- 3/29 Wildland Pump Operations**