

**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, December 7, 2015, 7:00 p.m., M.T.**

- 1) **Call to order**
Roll Call: Norm Crume _____ Tessa Winebarger _____ Charlotte Fugate _____ Thomas Jost _____
Larry Tuttle _____ Betty Carter _____ Mayor Ron Verini _____

2) **Pledge of Allegiance**

This Agenda was posted on Wednesday, December 2, 2015. 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 11/16/2015 1-3
B) Liquor License Application: New Outlet [Tacos Mi Ranchito] 4
C) Approval of the Bills

5) **Department Head Updates: Thursday**

- 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:**

- A) Ordinance #2713-2015: Repeal 2700-2015 and OMC 3-22 to Delete Requirements that Marijuana Dispensaries Have a Business License (*1st Reading*) 5-6
B) Pilot Program Request - Use Road Salt During Snowfall Operations 7-8
C) [*Potential: Follows 10B*] Selection of Citizen as Interim City Councilor 9-12

8) **Hand-Outs/Discussion Items**

- A) MOU w/Pheasants Forever/Oregon Fish & Wildlife 8A
B) Minutes: County Court, SREDA, Airport 8B
C) Recreation Department Open House Invitation 8C
D) Brownfield Community Meeting Invitation 8D
E) Labor Shed Statistics from Work Source Oregon 8E
F) Financials

9) **Correspondence, Comments and Ex-Officio Reports**

10) **Executive Session: ORS 192.660(2){}**

- A) ORS 192.660(2)(a)
B) ORS 192.660(2)(h)

11) **Adjourn**

**ONTARIO CITY COUNCIL MEETING MINUTES
Monday, November 16, 2015**

NO SOUND RECORDED – MINUTES TRANSCRIBED USING NOTES

The regular meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Monday, November 16, 2015, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Charlotte Fugate, Tessa Winebarger, Thomas Jost, and Larry Tuttle. Betty Carter was excused.

Members of staff present were Tori Barnett, Marcy Siriwardene, Dan Cummings, Kari Ott, Mark Alexander, and Cliff Leeper. The meeting was recorded and copies are available at City Hall.

Norm Crume led everyone in the Pledge of Allegiance.

AGENDA

Norm Crume moved, seconded by Charlotte Fugate, to adopt the Agenda as amended. Roll call vote: Crume-yes; Winebarger-yes; Fugate-yes; Jost-yes; Tuttle-yes; Carter-out; Verini-yes. Motion carried 6/0/1.

CONSENT AGENDA

Charlotte Fugate moved, seconded by Tessa Winebarger, to approve the Consent Agenda, which included the Minutes from the Regular Meeting of November 2, 2015, and Approval of the Bills. Roll call vote: Crume-yes; Winebarger-yes; Fugate-yes; Jost-yes; Tuttle-yes; Carter-out; Verini-yes. Motion carried 6/0/1.

COMMENTS

Councilor Fugate noted that in looking at the monthly statistics provided by the police department, it appeared that Larceny had increased.

Chief Alexander stated that Larceny normally increased at this time of year.

Chief Alexander informed the Council that he had accepted a part-time position with the Oregon State Police Department, and would be starting that new position December 1st.

NEW BUSINESS

Request Temporary Leave of Absence for Military Call Up – Councilor Thomas Jost

This action was taken care of at the Thursday, November 12, 2015, regularly advertised Work Session. Minutes for adoption of that action will be provided separately.

Intergovernmental Agreement for Transportation and Growth Management Program

Dan Cummings, Planning & Economic Development Director, presented.

On May 18, 2015, the City Council was updated on the Transportation and Growth Management Program Assistance funding opportunity from the state by Interim City Administrator Pete Friedman. Staff requested assistance in updating the Development Code to implement recommendations from the 2009 Downtown Revitalization Report, as well as assistance for Community Education and Outreach. One required component of the "application" was a letter of support from the local officials. Council gave staff direction to prepare a letter for

their signature, showing support for the program. On June 1, 2015, the Council was presented with the requested letters of support; letters were signed and submitted to the state.

In July, 2015, the city was notified of the approval for the TGM program. Staff then worked with Evan Manuel, Land Use and Transportation Planner for Oregon Department of Land Conservation and Development (ODLCD), in developing the scope of work and schedule for selecting a consultant.

The state selected a Consultant that fit within the scope and budget of the project and was now ready to move forward; therefore, staff was asking that the Council approve the proposed Intergovernmental Agreement (IGA) between the State of Oregon and the City of Ontario for the Transportation and Growth Management (TGM) program.

Potential "costs" would be related to staff accruing time while working with the Consultant, participating in workshops, and maintaining all fiscal records relating to this Agreement.

Tessa Winebarger moved, seconded by Norm Crume, that the City Council approve the Intergovernmental Agreement with the State of Oregon, to move forward with the Transportation and Growth Management program, and authorize the Interim City Manager to execute the Agreement on behalf of the City of Ontario. Roll call vote: Crume-yes; Winebarger-yes; Fugate-yes; Jost-yes; Tuttle-no; Carter-out; Verini-yes. Motion carried 5/2/1.

Resolution #2015-151: Receive/Expend Funds re: Shop with a Cop

Mark Alexander, Police Chief, presented.

The Police Department received an unexpected grant, and in order to expend those funds, a budget change was necessary. It is proposed that the budget change for expenditures be recognized within the Grant Fund.

For several years, the Ontario Police Department has participated in Shop with a Cop, which was a program working with high-risk kids during the Christmas season. The program historically had been funded by employees of K-mart, where the event took place. Law enforcement officers would team up with kids and shop for presents for the child and their family.

With the loss of K-Mart, the department approached Wal-Mart for the funding, who agreed to run Shop with a Cop through their grant program. The department applied for, and received, a \$2000 grant. Wal-Mart presented the \$2,000 check to the department.

Thomas Jost moved, seconded by Tessa Winebarger, that the Council adopt Resolution 2015-151, A RESOLUTION ACKNOWLEDGING RECEIPT OF REVENUE FUNDS AND APPROPRIATING EXPENDITURES WITHIN THE GRANT FUND. Roll call vote: Crume-yes; Winebarger-yes; Fugate-yes; Jost-yes; Tuttle-yes; Carter-out; Verini-yes. Motion carried 6/0/1.

CORRESPONDENCE, COMMENTS, EX-OFFICIO REPORTS

Councilor Crume brought up an issue about the Public Works Committee and how some things were addressed in the city's enacting ordinance. He questioned the lack of meetings, many due to lack of a quorum. How could they get this to where the meetings were taking place, and recommendations were brought back before Council. He was aware of three different actions that should not have come before Council, because they hadn't been discussed by the PW Committee.

Dan Cummings stated the Public works Committee meeting Agenda was set by the PWC Chairman, the PW Director, or, at times, at the directive of the Council.

Councilor Crume stated he had driven around the golf course, and was happy to see the weed issues had been taken care of. He thanked Public Works crews for handling that.

Tori Barnett stated there were six applications received for the position of Police Chief. It was noted that they would need to research what the Chief would have to make annually to stay ahead of the Sergeants.

Councilor Tuttle stated he wanted longevity and everything else included when those numbers were calculated. Everything needed to be figured in with the sergeant's wage, and should be taken out to the end of the contract period.

Kari Ott indicated she would provide those numbers to the Council, calculating in a different percentage more than the sergeants.

Councilor Tuttle asked to see a base salary, and then calculations for 3%, 5%, and 7% differences between the two positions.

ADJOURN

Norm Crume moved, seconded by Tessa Winebarger, that the City Council adjourn. Roll call vote: Crume-yes; Winebarger-yes; Fugate-yes; Jost-Yes; Tuttle-yes; Carter-out; Verini-yes. Motion carried 6/0/1.

APPROVED:

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder

CONSENT AGENDA
December 7, 2015

TO: Mayor and City Council

FROM: Steve Mallea, Interim Lieutenant

THROUGH: Tori Barnett, Interim City Manager

**SUBJECT: LIQUOR LICENSE APPLICATION – NEW OUTLET
Off-Premises Sales**

DATE: November 24, 2015

SUMMARY:

Romualdo Eloy Figuero, owner of Tacos Mi Ranchito, has completed the “New Outlet” application process for “Full On-Premises Sales Commercial Establishment” liquor license privileges through the Oregon Liquor Control Commission for his business located at 252 S. Oregon Street, Ontario, Oregon.

All necessary paperwork has been approved through OLCC office and is awaiting approval through the Ontario City Council.

BACKGROUND:

Criminal Record process was completed on Owner Mr. Romualdo Figueroa and Manager Damian Figueroa. All records returned meeting state and local requirements. The application forms have been filled out appropriately and required fees have been paid. All Permit requirements have been met.

RECOMMENDATION:

I have completed a review of this application information in accordance with the City of Ontario’s ordinance regulating this license. I recommend that we approve the application for New Outlet Full On-Premises Sales liquor license for Tacos Mi Ranchito.

AGENDA REPORT
December 7, 2015

TO: Mayor and City Council

FROM: Larry Sullivan, City Attorney

THROUGH: Tori Barnett, Interim City Manager

SUBJECT: ORDINANCE NO. 2713-2015: AN ORDINANCE REPEALING ORDINANCE NO. 2700-2015 AND CHAPTER 22 OF TITLE 3 OF THE ONTARIO CITY CODE TO DELETE THE REQUIREMENT THAT MEDICAL MARIJUANA DISPENSARIES HAVE BUSINESS LICENSES- FIRST READING

DATE: November 23, 2015

SUMMARY:

Attached is the following document:

- Ordinance No. 2713-2015

BACKGROUND:

On April 21, 2015, the Ontario City Council enacted Ordinance No. 2700-2015, which requires medical marijuana dispensaries (referred to as medical marijuana facilities in the ordinance) to have business licenses. Ordinance No. 2700-2015 was subject to a land use appeal through the Oregon Land Use Board of Appeals (LUBA), in which the City consented to a repeal of the ordinance. This ordinance repeals 2700-2015.

RECOMMENDATION:

Staff recommends that the City Council approve the first reading of Ordinance No. 2713-2015.

PROPOSED MOTION:

I move the City Council approve Ordinance No. 2713-2015, AN ORDINANCE REPEALING ORDINANCE NO. 2700-2015 AND CHAPTER 22 OF TITLE 3 OF THE ONTARIO CITY CODE TO DELETE THE REQUIREMENT THAT MEDICAL MARIJUANA DISPENSARIES HAVE BUSINESS LICENSES, on first reading by title only.

ORDINANCE NO. 2713-2015

**AN ORDINANCE REPEALING ORDINANCE NO. 2700-2015
AND CHAPTER 22 OF TITLE 3 OF THE ONTARIO CITY CODE
TO DELETE THE REQUIREMENT THAT MEDICAL MARIJUANA DISPENSARIES
HAVE BUSINESS LICENSES**

WHEREAS, On April 21, 2015, the Ontario City Council enacted Ordinance No. 2700-2015, which requires medical marijuana dispensaries (referred to as medical marijuana facilities in the ordinance) to have business licenses; and

WHEREAS, Ordinance No. 2700-2015 was subject to a land use appeal through the Oregon Land Use Board of Appeals (LUBA), in which the City consented to a repeal of the ordinance.

NOW THEREFORE, The Common Council for the City of Ontario ordains as follows:

Section 1. Ordinance No. 2700-2015 and Chapter 22 of Title 3 of the Ontario City Code, which was created by the ordinance, are hereby repealed.

PASSED AND ADOPTED by the Common Council of the City of Ontario this ____ day of _____, 2015, by the following vote:

AYES:

NAYS:

ABSENT:

APPROVED by the Mayor this ____ day of _____, 2015.

ATTEST:

Ronald Verini, Mayor

Tori Barnett, MMC, City Recorder

AGENDA REPORT
December 7, 2015

TO: Mayor and City Council

FROM: Cliff Leeper, Public Works Director
Dave Van Wagoner, Deputy Public Works Director

THROUGH: Tori Barnett, City Manager Pro Tem

SUBJECT: USE OF ROAD SALT DURING WINTER SNOW REMOVAL OPERATIONS

DATE: December 1, 2015

SUMMARY:

The Public Works Department would like to conduct a pilot program where road salt is used (in conjunction with currently-used liquid de-icer) to treat snow and ice conditions during winter storms. Cost comparisons of sand and salt are listed below:

Initial cost/ton of sand:	\$13.00
Post-application cleanup/ton of sand:	<u>\$77.00</u>
Total cost/ton of sand:	\$90.00
Initial cost/ton of road salt:	\$85.00 (<i>Depending upon order quantities</i>)
Post-application cleanup/ton of road salt:	<u>\$ 0.00</u>
Total cost/ton of road salt:	\$85.00

PREVIOUS COUNCIL ACTION:

No prior discussion or action has been taken, as this is a new recommendation.

BACKGROUND:

Several factors are prompting this recommendation. First and foremost, the use of road salt has been shown to reduce winter storm vehicular accidents up to 85%. This is a considerable safety issue, as well as a fiscal savings to the traveling public. Secondly, road salt is able to leverage the limited resources of snow fighters and equipment by keeping snow and ice from bonding to the roadway, which in turn keeps the roadways clear for longer periods of time. Constantly taking the time to go back over roadways treated with just sand only addresses the symptoms of ice on the roadway. Using salt can totally eradicate snow and ice from the driving surface and return the pavement to a wet condition. This pilot program will focus on the main arterials and downtown shopping areas. This will also serve to minimize the application sand on the streets, which creates cleanup problems both during and after the winter season. National research has shown that when clean-up efforts are included in the price of sand, it's more expensive than applying road salt. (\$109/ton for sand is the national average. Locally, ODOT has found that number to be closer to \$90/ton, still more expensive than a

ton of road salt at \$60-85/ton). This will also have the added benefit of saving time and money during the spring when crews usually spend several weeks cleaning sand from the streets. Not included in the above cleanup costs are the on-going time for crews to clean catch basins, storm drain lines, barrow ditches, etc.

FINANCIAL IMPLICATIONS:

Staff recommends using 75 tons for the pilot program. At the higher rate of \$85/ton this would equate to \$6,375. If ordered at the same time, the price should be less.

RECOMMENDATION:

Staff recommends transferring the necessary funds from the budgeted \$10,000 for the liquid magnesium tank (Capital Outlay) to the Materials & Supplies category. Public Works staff was able to procure a 10,000 gallon tank from ODOT without spending any of these budgeted funds.

PROPOSED MOTION:

I move that the City Council authorize the transfer of the Capital Outlay funds budgeted for the liquid magnesium tank to the Materials & Supplies category to enable Public Works to conduct a road salt pilot program during this winter season.

AGENDA REPORT
December 7, 2015

TO: Mayor and City Council

FROM: Tori Barnett, Interim City Manager

SUBJECT: APPOINTMENT AS INTERIM CITY COUNCILOR

DATE: December 1, 2015

SUMMARY:

Attached are the following documents:

- Letter of Interest: Marty Justus
- Letter of Interest: Ned Enyeart
- Letter of Interest: Dustin Simpson

Councilor Thomas Jost has been called to active duty by the United States Navy. It is anticipated his deployment will begin February, 2016, and be completed by February, 2017.

The Council has discussed options for an interim Councilor, and directed the City Manager to post an advertisement soliciting letters of interest from community members for filling the temporary vacancy.

The cut-off date for submitting letters to was Monday, November 30th, at 5:00 p.m. As of that date and time, three letters were received *[attached]*.

RECOMMENDATION:

Staff makes no recommendation, as this is a Council decision.

PROPOSED MOTION(S)

- 1) I move to appoint _____ as Interim City Councilor, beginning February 1, 2016, and ending upon the return of Thomas Jost.

OR

- 2) I move that the Council extend the time for accepting letters of interest from the community, and have the City Recorder republish the notice.



241 SW 3rd Ave • Ontario, OR • Ph: 541.889.8801 • Fax: 541.889.8806

Mayor and
City Council
City of Ontario OR
444 SW 4th St.
Ontario OR 97914

November 24, 2015

Dear Mr. Mayor and City Council Members:

It is my understanding that a temporary vacancy has come available on city council.
I would ask that you consider me for this position.

As a small business owner and active citizen in our community I feel that I that I would be an asset to the council and the citizens of our city.

As a successful real estate broker I offer my expertise in assisting the council with sharing my knowledge of the current real estate market both in Real Estate Sales and Commercial and Residential Property Management. I am also very active in our community; I have been associated with the Boys and Girls Club as a board member for the past 4 years, Vice Chair of the Revitalize Ontario! 2015., a current member of the Ontario School Districts Facilities Task Force Committee, Chair of the Center Ball Committee 2016, President of the Western Treasure Valley Rotary Club for year 2014/2015, a member of the 2014 City of Ontario Pool Committee.

It is my firm belief that our local government is and should be the conduit for economic growth for the region. That is why I am offering to serve as temporary counsel person during Thomas Jolts absents.

Respectfully Submitted,

Martin "Marty" Justus
Broker/Owner
Four Star Real Estate



BOYS & GIRLS CLUB
OF WESTERN TREASURE VALLEY

Proud Supporters of The Boy's & Girls Club of Western Treasure Valley

November 30, 2015

Regarding: City Council Position

I am interested in applying for the year vacancy in the city council.

I have been a resident of Ontario since 1969. I presently own three properties in Ontario, and I am deeply concerned about the future of this town.

A handwritten signature in black ink, appearing to read "Ned A. Enyeart". The signature is written in a cursive style and is positioned above the printed name. A long horizontal line extends from the right side of the signature across the page.

Ned A. Enyeart

2189 NW 2nd Ave

Ontario, OR 97914

(541) 889-7878 Home

(208) 741-1647 Cell

Tori Barnett - Contact From City of Ontario Website

From: <dusty_simpson@hotmail.com>
To: <cityrecorder@ontariooregon.org>
Date: 11/30/2015 5:00 PM
Subject: Contact From City of Ontario Website

The following comment was sent from the City website on 30-Nov-15 at 05:00 PM.

Dustin Simpson dusty_simpson@hotmail.com

I would like to express my interest in filling the temporary City Council spot, until the counselor returns from his duties. I have been a member of Ontario my whole life. Dustin Simpson 1341 Rachel Ave. Ontario, Or 97914 541-881-9413

Discussion/Information /Hand-Out Items

City Council Meeting
December 7, 2015

MEMORANDUM OF UNDERSTANDING
Property Use Agreement- City of Ontario, Water Treatment Fields

This Memorandum of Understanding (MOU) is made and entered into by and between the State of Oregon, acting by and through its Department of Fish and Wildlife, hereinafter referred to as "ODFW"; City of Ontario, Oregon, hereinafter referred to as "the City"; and the Malheur County Chapter of Pheasants Forever, Inc., a Minnesota corporation, hereinafter referred to as "Pheasants Forever"; all herein referred to individually or collectively as the "Party" or "Parties."

RECITALS

1. ODFW is an agency of the State of Oregon with the statutory authority for management of Oregon's fish and wildlife resources (ORS 196 through 513). ODFW's mission is to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations.
2. The City is the property owner of the land referenced, in Attachment A- Legal Description for the City of Ontario, in Malheur County Oregon.
3. Pheasants Forever is a tax exempt Minnesota based, membership-based organization dedicated to the conservation of pheasants, quail and other wildlife through habitat improvements, public awareness, education and land management policies and programs.

TERMS AND CONDITIONS

1. Purpose. It is the intent of the Parties to document in this MOU, the coordinated efforts regarding the intentions, roles and responsibilities of the Parties.
2. Term. This MOU shall become effective when all required signatures have been obtained and shall remain in effect until December 31, 2020. The MOU may be terminated by any party for any reason, on 30-days prior written notice, delivered at any time by certified mail or in person.
3. Roles and Responsibilities. Unless otherwise agreed in writing, the Parties will have the following roles and responsibilities as to the Property, hereinafter referred to as "Premises".
 - a. ODFW shall allow fishing and hunting on the Premises in accordance with the terms of this Agreement and in accordance with fish and game regulations of the State of Oregon.
 - b. The City intends to allow ODFW and Pheasants Forever access to the Premises for the limited purpose of providing controlled public access for fishing, for migratory and upland bird hunting and for archery-only big game hunting.
 - i. The City is waiving the Access and Habitat (A&H) Fee and providing hunting access free of charge to Pheasants Forever and ODFW.
 - ii. The City may impose any reasonable restrictions on Pheasants Forever's activities on the Premises that interfere with the City's wastewater treatment operations.
 - iii. The City reserves the right to develop the Premises for other uses in the future, including for its Greenbelt trail system and for a public park. The City shall give the Parties reasonable

notice in advance of its intent to use the Premises for any use that may require additional restrictions on hunting on the Premises.

- c. Pheasants Forever intends to use the Premises for the limited purpose of providing controlled public access for fishing, for migratory and upland bird hunting and for archery-only big game hunting.
 - d. The Parties use of the Premises.
 - i. *Permitted Use.* Pheasants Forever shall use the Premises for the limited purposes of: 1) fishing; 2) migratory and upland bird hunting; and 3) archery-only big game hunting. Pheasants Forever and ODFW will permit members of the public to hunt and fish on the Premises in accordance with the terms of this Agreement and in accordance with fish and game regulations of the State of Oregon.
 - ii. *Prohibited Use.* The parties acknowledge that the use of the Premises as set forth above in "The Parties use of the Premises" section "i" is for a recreational purpose as defined in ORS 105.672(5). Pheasants Forever is prohibited from using the Premises, and from allowing the public to use the Premises, for any purpose that is not a recreational purpose as defined in ORS 105.672(5).
 - iii. *Construction and Maintenance of Improvements.* In order to facilitate the use of the Premises for the purposes identified herein, Pheasants Forever and ODFW may construct and maintain certain improvements to the Premises, as more particularly described in Attachment B- List of Improvements - Page 1 attached hereto. ODFW and Pheasants Forever may also assist with habitat improvements in non-crop areas, either financially or otherwise pending approval from the Water / Wastewater Operations Supervisor. Pheasants Forever and ODFW shall obtain the City's approval in advance before constructing any other improvements on the Premises. Upon final termination of this MOU, the City may, at its option, retain ownership of the improvements or require the improvements to be removed by Pheasants Forever.
 - iv. *Restrictions on Use.* ODFW's and Pheasants Forever's hunting rights on the Premises are subject to the City's continuing use of the Premises for its wastewater treatment operations, including but not limited to maintenance of sewage effluent disposal fields. Pheasants Forever shall be responsible for controlling hunting on the Premises so as not to interfere with those operations.
4. **Insurance.** Pheasants Forever shall obtain and maintain not less than a \$1,000,000 combined single limit bodily injury and property damage insurance policy with a responsible company. Such insurance shall cover all risks arising directly or indirectly out of Pheasants Forever's activities on or any condition of the Premises, shall protect Pheasants Forever against the claims of the City on account of the obligations assumed by Pheasants Forever under the provisions of the indemnification paragraph contained herein, and shall protect the City and Pheasants Forever against any and all claims of third persons. Pheasants Forever shall maintain the insurance required under the MOU and shall name the City as an additional insured on its insurance policy. Pheasants Forever shall provide the City with evidence of its insurance coverage in compliance with the MOU before the term begins and within 30 days before any modification or cancellation of such insurance. The City acknowledges that it remains responsible for any liability to any third party to the extent such liability arises from the



City's negligence or other misconduct and exceeds the limits of Pheasants Forever's contractual liability insurance coverage required under this MOU.

5. Indemnification. During the MOU term and any renewal term, Pheasants Forever shall indemnify the City and hold it harmless from any claims arising from activities conducted on the Premises by Pheasants Forever or by members of the public permitted on the Premises by Pheasants Forever.
6. Coordination and Consultation. The Parties will coordinate their respective actions under this MOU and will consult with one another prior to taking significant actions that may affect the actions of another Party under the MOU. Unless otherwise agreed, the principal contacts identified below will be responsible for ensuring appropriate coordination and consultation actions under the MOU.
7. Impasse or Disagreement. The Parties intend that, if an impasse or disagreement should occur on issues pertaining to the MOU, a collaborative process will be initiated to resolve the difference. A collaborative process may be requested by any Party and will conform to generally accepted mediation practices in the state of Oregon.
8. Public Information. The Parties agree that their respective actions under this MOU will be conducted in a transparent and accountable manner, and further understand that information and records generated as a result of their respective actions may be subject to public disclosure at any time during the term of the MOU.
9. Principal Contacts and Notices. Each Party will designate a principal contact for MOU matters, who, among other things, will be responsible for receiving and distributing information related to this MOU. Any notice between the Parties shall be given in writing (personal delivery, facsimile, electronic mail or mailing the same, postage prepaid) to the principal contacts as listed below. The Parties shall notify each other in writing of any contact information changes during the term of this MOU and notice is not complete until confirmed in writing by the other Party.
 - a. ODFW: Tom Segal, Malheur Watershed Habitat Biologist, 3814 Clark Blvd, Ontario, OR 97914, 541-889-6975, Thomas.P.Segal@state.or.us
 - b. The City: Jerry Elliot, Water / Wastewater Operations Supervisor, 1551 N.W. 9th St., Ontario, OR 97914, 541-889-8011, jerry.elliott@ch2m.com
 - c. Pheasants Forever: David B. Steifvater, Manager, 448 Northwest 4th Street, Ontario, OR 97914, 541-881-6491, dbstiefvater@gmail.com.com
10. Non-Binding Nature of MOU. This MOU is nonbinding and is neither a fiscal nor a funds obligation document and should not be construed as a commitment by any Party. Such endeavors will be outlined in separate documents that shall be made in writing by representatives of the Parties and shall be independently authorized by appropriate statutory authority. This MOU does not provide such authority. Specifically, this MOU does not establish authority for competitive award to the Parties of this MOU. Notwithstanding the signing or delivery of the MOU, or any past, present or

future actions or approvals by any Party based upon this MOU, none of the Parties are under any legal obligation with respect to the intentions outlined above and no binding commitment of any nature whatsoever will be implied.

- 11. Modification. The terms of this MOU shall not be waived, altered, modified, supplemented or amended, in any manner whatsoever, except by written agreement signed by the Parties.
- 12. Counterpart Signatures. This MOU may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement endorsed by all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this MOU so executed shall constitute an original.

THE PARTIES, by execution of this MOU, hereby acknowledge that their signing representatives have read this MOU, understand it, and agree to its terms and conditions.

STATE OF OREGON, by and through its
Department of Fish and Wildlife

By _____
Acting Deputy Director for Administration:
William A. Herber

Date _____

THE CITY OF ONTARIO, OREGON

By _____ Interim
City Manager: Tori Barnett, MMC, City .
Recorder

Date _____

**PHEASANTS FOREVER, INC., Malheur
County Chapter**

By _____

Date _____



MALHEUR COUNTY COURT MINUTES

NOVEMBER 4, 2015

County Court met with Judge Dan Joyce presiding with Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois and County Counsel Stephanie Williams.

Also present was Larry Meyer of the Argus Observer and John Braese of the Malheur Enterprise.

AMENDMENT OF AGENDA

Ms. Williams requested the agenda be amended to include an Executive Session to discuss real property. The Court agreed to the addition of the Executive Session.

APPEAL HEARING OF PLANNING COMMISSION DECISION - COCKERUM

Planning Department File #2015-08-007. Applicant: Forrest "Skip" Cockerum. Property Address: 3720 Clark Blvd, Ontario. Joseph and Stephanie Holton filed on appeal on the Planning Commission's decision approving the application of Skip Cockerum for conditional use approval for commercial activity in conjunctin with farm use. The commercial activity is the propagation, harvesting and preparation of insects for use in animal food research; the species raised is *Musca domestica*, the common housefly. The applicable criteria subject to review is ORS 215.283(2)(a)&(p) and Malheur County Code 6-6-7, 6-6-8 and Chapter 13. Notice of the hearing was published in the Argus Observer.

Present for the hearing were: Planning Department Director Alvin Scott, Environmental Health Specialist Eric Evans, Stuart Reitz from OSU/Malheur County Extension Office, Applicant Skip Cockerum, Appellants Joseph Holton and Stephanie Holton and public members Leon Price, Jean Price, Val Richmond, Lindsey Johnson, Kathy Milleson, Richard Magnuson, Lynn Magunson, Jesse Price, Rod Holcomb, Linda Tucker, Kay Nakada, Vernon Nakada, Marcy Tiffany, Dawn Smith, Patrick Hollingsworth, Steven Saito, Wade Johnson, and Ron Talbot.

Judge Joyce opened the hearing and explained the procedure for the hearing. Judge Joyce asked for abstentions, and potential or actual conflicts of interest from the members of the Court and asked for any ex parte communications or site visits to be divulged. Commissioner Wilson stated he has driven by the property and knows several of the people present and the applicant Skip Cockerum; Commissioner Wilson explained that Mr. Cockerum has been in his office periodically over the past 10 years but has never been a client. Judge Joyce said he has possibly driven by the site and knows several of the people in the room and had one phone conversation about the matter.

Judge Joyce asked if there were any objections to the jurisdiction or any objections to any member of the County Court hearing the matter. There were none.

Judge Joyce stated: "Failure to raise an issue may preclude raising it before LUBA." "Failure to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the County Court to respond to the issue may preclude an action for damages in Circuit Court."

Judge Joyce asked for a Staff Report.

Planner Alvin Scott: Planning Department File No. 2015-08-007 - Conditional Use Application for Commercial Activities in Conjunction with Farming in an Exclusive Farm Use Zone. The Planning Commission meeting date was September 24, 2015. The Owner of Record is Alan Schuster and Kenton Anderson, PO Box 1183, Ontario, OR. The Applicant is Skip Cockerum, 1851 NW 9th St, Ontario, OR. The Proposed Action is a conditional use approval for commercial activity in conjunction with farm use pursuant to MCC 6-3A-3-J. The commercial activity is the propagation, harvesting and the preparation of insects for use in animal food and research. The species raised is *Musca domestica*, the common housefly. Property Identification is Tax lot 1100, Section 30, T.18S, R47E, Map 18S4730. Malheur County Ref. #15664. Property Location and Directions are from Cairo Junction, turn left on Clark Blvd., go 3/4 mile, the proposed site is adjacent to Clark Blvd. on the left. Zoning is Exclusive Farm Use. The Parent Parcel Size is approximately 1.43 acres. The Parcel is used as a dwelling/accessory rural home site. The Surrounding Use is OSU Extension Farm, row crop wheat and farm use. The Access would be an existing driveway from Clark Blvd. Sanitation Requirements: both the existing dwelling and the accessory building that will be used in the propagation of the insects have existing sanitation systems. Fire Protection is available from the Ontario Rural Fire Protection District. There are no known Natural Hazards. There are no Water Rights associated with the parcel. The Zoning History is Exclusive Farm Use.

The General Conditional Use Criteria would be MCC 6-6-7 - General Criteria to Evaluate Suitability: In considering the suitability of proposed conditional uses, the Planning Commission shall base its decision upon the following criteria: A. Comprehensive Plan goals and policies, as applicable. B. Specific plan recommendations. C. Existing development and viewpoints of property owners in the surrounding area. D. Availability of services and utilities. E. The effect of the proposed use on the stability of the community's social and economic characteristics. F. It does not interfere with traditional fish and wildlife use of habitats determined critical or sensitive in the Fish and Wildlife Habitat Protection Plan for Malheur County. G. General Criteria - 1. Increasing setbacks of structures to reduce possibilities of overshadowing adjoining property, noise, odor or night lighting nuisances. 2. Landscaping improvements for the visual benefits of the subject site and for the improved appearance of the neighborhood and County. 3. Location and size of driveway access points and right-of-way widening and improvement for present and future traffic circulation and safety. 4. Visual screening of outdoor waste and storage areas. 5. Control and focusing of outdoor lighting to avoid glare being directed beyond property limits. 6. Special criteria, as applicable. Specific Conditional Use Criteria: A. The use is compatible with farm uses and is consistent with ORS 215.243; and, Does not interfere seriously with accepted farming practices on adjacent lands; and, Does not materially alter the stability of the overall land use pattern of the area; and, Is situated on generally unsuitable land for the production of farm crops or livestock considering the terrain, adverse soil or land conditions, drainage and flooding, location and size of tract.

Judge Joyce asked for Proponent Testimony from the Applicant Skip Cockerum: I don't really know how much more I can say, everything that I said to the Planning Commission is true and honest and clear. I have no intention, well I guess there is a little something, I have no intention of offending anybody. This new kind of culture is becoming very important in the world. I'm a living proponent and recognized for my abilities in it. Again, the only thing I want to do is make the place better. The insect culture is non-offensive, the animals are cleaners rather than providers of anything obnoxious. It's very small, this particular property, I have searched this county since last February trying to find a suitable location and I got bushed out of every single thing that I found. This was the first place that was even marginally suitable and I had to snap on it right now, I mean I signed the papers before I even walked in the building. My use for it is, as a home I would like to have permanent; as a laboratory, because its adjacent to the university that would be very useful, but as far as production of my farm in a long term its absolutely not going to work, its far too small. But, with the existing situation there I can get by with what I need until, for the next six months or a year to cover my costs, I mean my requirements for my current product lines to develop new product that I'm working on to work on sage grouse restoration that I'm working on, those are the things that I'd like to see done in this next year. But as far as a large scale producing lots and lots of stuff there, its never going to happen, its not appropriate.

Judge: so that's your proponent testimony

Cockerum: I guess, I don't know Judge, I thought that everything I was supposed to say was said at the last meeting.

Judge Joyce asked for additional proponent testimony.

Judge Joyce asked for opponent testimony from the Appellants.

Joseph Holton, 3715 Clark Blvd., Ontario: I didn't know that much about fly farms or maggot farms, the research I've done and the experts I've talked to all use a facility more like a food processing plant. I contacted one in Idaho, he doesn't have any other residents within a 1 1/2 mile; there's one that just opened up in Tillamook - just built a brand new facility, well over a million dollars, he doesn't have any neighbors for 3 miles. This property Skip is referring to is the exact same size he just left in Vale; its a shop and a house. I've talked to numerous neighbors and if anyone would go out to 4th Avenue in Vale, the neighbors there will describe how far Skip's operation is and what its like living next to him. The people that lived the closest to him said they wouldn't wish it on their worst enemy. I've got a lot of problems with the farm use contention, because in one place it says right here that its conditional use approved for commercial activity in conjunction with farm use and then at the end Al says, talking about contact the road district - that's another thing, they never did that to see if he's going to have commercial trucks delivering manure, I mean nothing was discussed here about what he's really going to do there, its too vague. But anyway, it says, we did not get one from the road district because it already has an accepted driveway, since this is not a farming issue we did not necessarily talk to the irrigation company; and so, if its coming in underneath farm activity, farm use, and then here he says that it has nothing to do with farming. I think that if the court would investigate it a little bit more they would find that it is a very unsafe practice and not only should he not grow next to my house he should be in jail for what he's done to the community for the last 45 years...

Judge: that's not in the record, I'm sorry. That's not for the record.

J. Holton: okay.

Stephanie Holton, 3715 Clark Blvd., Ontario: We don't feel that he met the criteria within the hearing that was held on the 24th. Starting with the sanitation requirements in both the dwelling and accessory dwelling; there is not any sanitation services in that barn that he's using to propagate. Our concern also is he talks within that hearing that he's using the house as a laboratory; what exactly, what kind of laboratory, it says in the papers of that hearing that he is using that as a laboratory - his statement not anybody else's...

Judge paused Ms. Holton and explained to Mr. Cockerum that he would have an opportunity to respond later in the hearing as rebuttal

S. Holton: so that's a big concern, I mean, the questions that were asked by the Planning Commission during this hearing, we don't feel like he even answered the questions. He talked a lot but he didn't answer the questions adequately or at all really on some of them. For one example, Ken Freese said, *I guess specifically what are you going to do at this site?* And he talked a lot but he didn't say anything. I think those things should be addressed with complete answers and maybe some proof on some of this. He can give a lot of big examples but where's his proof on whether this is a public or environmental safety issue.

J. Holton: I have a study here that talks about, unless he's talking about a different bug, this says he's raising *Musca domestica* common housefly and now he's talking about another insect that's wingless, well the exact description of that is a winged fly, so if he's growing a different species then I think it all needs to be redone anyway. But, if he is growing this species, whether his are wingless or not, every fly expert I've talked to said that maggots give off a smell that is going to attract other flies, and that's what happened to the people out on 4th Avenue; there's dairies around so all the flies are going to come off those dairies, go to Skip's garage, and its not sealed off, most of the questions that has to do with the shop being sealed were worried about airplanes killing his

flies, well the community needs to be worried about the flies that are going in and out and going to everybody's property.

S. Holton: The bacteria that they carry is astronomical, the ones that eat the manure have three times the bacteria particle that they carry on them as opposed to your regular fly that's in your kitchen. I mean, they're all the same fly, a common housefly, but the ones that are feeding off the manure studies show that their bacteria level that they carry are three times as high.

J. Holton: We do have studies for all this if you'd like to see. The one study shows that to do his type of operation you have to have two separate facilities because the flies will eat the maggots if you try to do it in one building, so that's why the house out in Vale, on 4th Avenue, which our neighbor actually did most of this investigation and research; she went and looked at the house after Skip left it and there was two inches of flies in both the house and the shop, and the neighbors that lived next to him will testify to that too. So, that is what I'm going off of is that's what he did at his last address and I think he's going to do it at this one, there's nothing in here that says he's not going to, there's nothing here, I've searched all over trying to find who regulates him, who would go look to see, because the shop has no floor drains, I've been in the shop over 100 times, I did a bunch of work to it, and no one says they're going to inspect and see what kind of sanitation it has

S. Holton: where the waste products going

J. Holton: the other fly industries take showers before they go outside because they say it smells so bad that they can't even get in their cars when they're at work so they shower and go outside, get in their cars, some of them say they shower three times a day. All he has is a spicket of cold water in there with no drains so anything he washes out when he's liquefying his manure to feed his flies is going to be washed out in the gravel or in the house in the kitchen. Most people I think, think its absurd who can live in but if you look back at Skip's record he started out in '75 and he grew maggots in his kitchen because he didn't take out the trash for a month; that's what got him started on maggots and if you've looked at all this information he's basically lived that type of life his whole life and he doesn't mind sleeping with flies and I think everything I've got here will prove that.

Commissioner Wilson asked for Mr. Holton documentation he referenced in his testimony; documents were provided to be included in the Planning Department's file.

J. Holton: I came over here when I went to do the appeal and they told me that Vale was not included because he was never an established business there, well its on his business records that he was out in Vale on 4th Avenue

Judge Joyce asked for other opponent testimony with a time limit of two minutes each.

Lindsey Johnson, 525 Morgan Avenue, Ontario: The proponent here in his testimony did say, *but I see this as my place and my laboratory*, so those were specific comments from him. I don't think you're allowed to just setup a laboratory wherever you want, there has to be sanitation requirements and he talked about liquefying his manure, what gasses are given off in the process of liquefying the manure, has that been discussed, have we addressed consequences to him doing that, especially so close to the proximity of the neighbors around us, the proximity to the Experiment Station. He talks about wanting to work with them but asked did he speak with them he said no he did not, so how can you wish to work with someone if you haven't even talked to them. He's within a few miles of a local school. Any research on a fly will you tell you that flies carry diseases, some common in todays world, some not, but it doesn't matter, they carry diseases. When you're going to establish a business where you're propagating and growing flies that travel miles, any report, look it up, flies travel miles, he's within miles of growing crops, he's within miles of a school, it's not safe and none of that was addressed in the testimony of September 24th. When asked about how airtight his buildings are and whether he can protect himself from spraying, you know those are valid questions, he says he wants the neighbors to notify him of spraying, I don't even think the guys in the fields know, they know it might be today or it might be this week, I don't think they

know when it's going to be but the question was never asked of him, how does he expect to protect the rest of us from his flies, they move, they travel, they're not going to stay on his 1.43 acres, it's not going to happen.

Patrick Hollingsworth, 751 Thunderegg Blvd., Nyssa: I am friends with Joey, I saw the news on Channel 2; and one thing I'm concerned about is they talk about all these other guys that are doing this and they're out in the middle of nowhere, he's trying to do this within, you know, where there's other people around and in the news they're carrying off five gallon jugs of dead flies neighbors, you know, five, six gallons of dead flies daily. And I live at the Fox Farm which is just a few miles up the road and I don't want to be emptying five gallon jugs daily, why can't this guy go out in the middle, you know, somewhere, out in the middle of nowhere and do it.

Dawn Smith, 549 Morgan Avenue, Ontario: Our biggest concern is that it mentioned that the waste products produce nitrates and how is that going to affect the groundwater when many of us have wells that we are getting our drinking water and that kind of thing from, and so the environmental issues are of very high importance to us.

Marcy Tiffany, 553 Morgan Avenue, Ontario: I live kind of close to where this (inaudible) farm is going to take place and the flies as of late, the house flies have been a nuisance and I swear they're hatching in my house, I don't want to have more flies grown and hatched close and carrying bacteria, and I myself have a small child and I don't want to be exposed to it, I don't want my family to be exposed to it, and I'm also concerned with the nitrates and the drinking water.

Kathy Milleon, 3775 Clark Blvd., Ontario: I'm also a neighbor not very far away and yes, I'm concerned with the amount of flies with what he's proposed to do in this area. It just doesn't sound good and I think this really needs to be reevaluated and looked into a lot more in-depth than what was done at that original meeting.

Vernon Nakada, 529 Onion Avenue, Ontario: I have a question when they're talking about land, his land and his facility and shed and how sanitary everything will be and if you had any guidelines to follow, and that was brought up too, people checking and make sure everything, if there are guidelines if he does follow and what are the consequences if he does not follow them. And I'm within a mile of his place.

Judge: Ok, I assume we'll address that in the rebuttal piece.

Kay Nakada, 529 Onion Avenue, Ontario: I really wasn't expecting that we could even talk. I don't like flies. We spend an inordinate amount of time in our house swatting flies, so now every time I see a fly I think, this is going to be my life is this goes through that we will then be swatting flies continually, not just in the summer time but in the winter time, it'll be an ongoing thing because there's no way those can be sealed inside that house or that shop. And the little bit of research I've done on it is those flies can travel at least 13 miles from their port of origin so it's going to affect a lot of people. And they are nasty, everybody, I don't know anybody who just loves having flies in their home and takes care of them and feeds them; nobody, they're the pests we want to get rid of so why would we bring more into our community when the ones we have are already so nefarious.

S. Holton: I do have one thing that I wanted to bring up in the September 24th hearing he talks about using manure for this process. My other concern is, is it going to turn into, I mean, is there any guidelines to what he can use. It doesn't appear that he's just specifically stuck into using the manure, there's an article that we found about his insectary that he had over here in Vale that he used beef kidney knobs and so I'm just wondering if there's going to be a time that he ends up using something other than manure and there will be carcasses or something else that would give a bad odor. And in effect, I feel like it could in return affect our property values, all of our property values that are in that radius of however many miles, two to five miles I would think, but I know us being right there its definitely going to affect our property values.

Ron Talbot, 523 Morgan Avenue, Ontario: One thing also to consider in the agricultural area is that there has been with all the agriculture and the onion farming in the area that there has been a problem with maggots in the necks

of onions this year and would you consider if those flies are adding to that issue that's in the area, that's the livelihood of a lot of the folks here.

L. Johnson: I'd just like to add one more comment. On the September 24th meeting it says Finding of Fact E - *The effect of the proposed use on the stability of the community's social and economic characteristics. Finding of Fact: The proposed partition will have no effect on the stability of the community's social and economic characteristics.* And I think there's been many of us here that have testified that is not true, it would be a huge change to the community's social and possibly economic status.

There was no public agency testimony given.

Judge Joyce asked for rebuttal testimony from the Applicant Skip Cockerum: I don't see any merit in what most of these people said. What I do is very small and benign, its not a problem. This facility, this farm that I had out in Vale that I lost in a bad real estate deal, on one side a man was claiming that he was hauling off all of these insects, its nonsense; the guy had 200 goats in his backyard and that was like 75 yards away from my front door, I mean my backdoor. If you go across the other side, another 75, there was a 250 heifer CAFO that had been installed without any question to anybody in the neighborhood anyway. These animals, they don't sit there and fly 13 miles to carry diseases to children. They are, the animals that I raise, *Musca domestica*, which is the same species can have a crippled wing which is why they say that they are flightless, they have wings it just that because of a genetic deformity they can't fly, and other than that they're identical. These are delicate animals, that's why they say "drop like flies"; they die instantly, I have had, I keep mine on a special diet and if they and you know if that's taken away, I've had 95% of them drop dead within a matter of a couple of hours. The only reason I can put it back together again is that I know how to do it very well. The fact that somebody says I'm not an expert is nonsense; you can call United Nations, I've registered with the World Food and Agriculture Organization as an expert in my field. As far as having a place way out in the country, yeah it'd be great, anybody want to come up with one, I'd be more than happy too. I am trying to save my life, to save my economic life, my business, my 35-plus years of research and I've found a place that would handle for a while. As far as letting the insects go in the wild, Clint and I have been talking down at the wildlife research station, he wants to buy many insects from me so that we can turn them loose in the stevia so that they can be used for pollination. Turn them loose as the blue bottle flies are done right now; they are way more fancy believe me. And as far as releasing insects its done all the time, anybody around here who has ever purchases parasitic wasps to use around farming operations on CAFO's has done exactly that. Because those are the insects that, that's the host that those insects are raised on and not all of them have those parasites in them. I can't sit here and rebut every single point, I didn't see any value in it Judge, I really don't.

Judge Joyce asked for opponent rebuttal.

S. Holton: I have a concern that he talks about trying to remain at the small scale operation, however, in the September 24th Planning transcript here he talks about how he will be back to, he will need additional space, he wants possibly the ability to build on the site in the future. And so, I think that he's conflicting with what he is telling everyone, because in one notion he's going to remain small scale but then he speaks of coming back to the Planning Commission because he wants to possibly build on that site and we know from research that when he was doing this in Tillamook he wanted to bring 12 to 13 decommissioned trailer homes to his site to grow these flies in as well. We don't want that unsightly trash in our area to bring down our value more, I mean its already unsightly anyway with his big (inaudible) containers that he has out there and he's not contributing to the curb appeal as of yet, where it talks in the specific guidelines that he wants to make the place look nicer. So far that's not happening.

J. Holton: This study right here is, I don't know, it probably has 20 experts from 1959 to present, one of the ones I handed you with the highlighted stuff, in it here there's one part that says, its comparing the black soldier fly in a column straight across with the common house fly in it what you get out of protein value at the different stages you take the maggots at, I don't know all the particular words but the maggot gets into one part, the pupal or

whatever and it lists all the different nutrients that they give and you go down the list and the reason there's black soldier flies everywhere all over the United States is because they, it says right here, *Pest Status* - here's the black soldier fly - *Routinely not a pest, no known disease transmission except accidental enteric myiasis, containment optional, adults occupy wild environment*. Now here's the common house fly - *Pest Status, Severe, vectors numerous diseases, containment necessary, associated with 277 disease organisms*. And then you come down here at the bottom and it says *Insect digestion of manure as a primary treatment is promising. This process reduces manure mass, nutrient content, moisture and odor, while producing high quality feed. Most studies have been conducted with the house fly because it is easily reared and well known. High energy and equipment costs probably explain why house fly systems have not been adopted*. And that's why I'm saying that, about the right type of building is because all these other people in this industry are saying the reason he picked the house fly is because in Skip Cockerum's own words he says, *it is a way to make a huge amount of amino acids of a waste product with very little skill, very little infrastructure, and can be done in just no time at all, so that's what I do*". Well the rest of the industry all spends a half a million to a million dollars to keep their flies inside and to be good neighbors. They said the fact that he's willing to do this across the street from somebody's house proves that he has no intentions of staying there, he has no intentions of being a good neighbor or he would've come across the street, maybe come over and had the neighbors come check out his operation and; but I think that this really needs to be investigated more. There is so much information that proves that it is a danger to the environment and a danger to public health.

L. Johnson: So he's stating that he is using a genetically altered somehow deformed winged fly, is that what was said here moments ago?

Cockerum: Nope

Judge: You'll have an opportunity to rebut

L. Johnson: So, what went in front of the planning and zoning committee was the commercial activity is the propagation, harvesting and preparation of insects for use in animal food and research, the species raised is *Musca domestica*, the common housefly. It does not say a genetically altered house fly, it does not say anything about a wingless house fly, it says the common house fly, common house flies have wings; they travel, they cannot be contained.

Wade Johnson, 525 Morgan Avenue, Ontario: Just a very, very simple observation, question, concern. He says he's talking to Mr. Shock about selling flies or maggots or whatever and they would release them to benefit something he has with Mr. Shock. And, my question is, if you have a genetically altered fly that supposedly can't travel how can you sell it to someone to release them and let them travel somewhere.

Val Richmond, 3809 Clark Blvd, Ontario: He just stated that he had talked to Clint about the flies with the wildlife; Clint Shock is the manager of the Malheur Experiment Station, he is not with the Fish & Game; and he calls these flies animals, they're insects.

Judge asked for rebuttal testimony from the Applicant Mr. Cockerum: The insect that I grow is *Musca domestica*, the common house fly, not wingless, not genetically modified, the commonness bug in the planet. That's one thing. As far as the, there was some question about what might be done with the university field research station, right now they're using blue bottle flies as a pollinator; I've done pollination studies with several companies around the country, primarily with prairie grasses and flowers of the great prairie, we're trying to do that. The bee situation is really bad so the fly can be let loose in the environment where they'll just crawl up or fly up, usually crawl up because they can't fly for several hours after they've been emerged, and seeking food they will perform the pollination and then they die. These things are delicate animals, they are not big ole robust cockroaches that run around and scare everybody, that's why they say "drop like flies", the things die very easily, that's why they are available in large numbers is because they have to reproduce because they're so feeble at it. As far as peoples houses are concerned, you know, my house was full of flies, I mean I swat every one of them, I don't deal with it; I

don't have a laboratory in my house or have an expectation of having a laboratory in my house; I do keep my office there. What I'm talking about a laboratory I'm not sitting there working chemicals and doing stuff I'm, like right now I'm making fish bait, it's like making gummy bears, it's not complicated and it's not horrible. As far as the odors are concerned, well you know, it is a smelly thing but to have to sit around and take three showers a day because everybody is so offended by something is nonsense. It is ordinary farming, that's all I'm doing, I've got a different size and style of livestock than everybody else does, but this is not magic, it is not awful, it's just plain old ordinary work. There's no reason for people to be feared. And as far as inviting somebody over to examine my facilities, that couldn't be done, I didn't see a welcome wagon, nobody came over and said Hi welcome to the neighborhood whatcha doing; there was none of that. And as far as having facilities for people to see, I have not been given permission to do my work. I have equipment stacked inside my barn and in a couple of the containers that I've rented, that are legal which are outside, and there is nothing put together. In the event that I get the permission to do what I need to do to do my livelihood like everybody else likes to do theirs, I still have to start from scratch, I have to buy the insects, they'll have to come in from Arizona, we use a 100 year old strain. And as far as the equipment and setup, I have some of my equipment ready to go but nothing has even been put together because I haven't been given permission. People kept saying, well go ahead and do it, it's easier to ask for forgiveness than permission. I was one of the people who wrote this law, I asked that House Bill 2615 be brought to the Legislature in the first place and Tim Josi did it. After testifying in both the House and the Senate I worked in the conference committee myself and helped come up with the rules. So, I know that I wasn't supposed to do anything and I'm not fudging, all those mis-characteristics that people have made about me today are off the wall. My only interest is to do what I want to do and do it well because I think it makes an awful lot of sense. You can get a great amount of useable nutrients out of this with ease. I invented, the system that I use I invented from whole cloth; I've been working on it since 1975. I don't know that I have ever offended anybody except somebody who would not take the time to either research it or figure out anything at all. It's harmless and it produces very good stuff. As far as the television Dirty Jobs people coming in and not being allowed out to my farm for some spurious reason, nonsense, I didn't want them to come out there. I have put over a million dollars of my own money into research over the years and I didn't want anybody to see it. And I said, no you're not going to come out to my place. It's not necessary. After that, and over the last few years, people have inquired a lot about what I do, because where for years I was considered just simply a kook now they realize that I know what I'm talking about, that I spent what it took to get it to where it is. In the space of a little over a year I was approached by half a dozen universities, a couple of private companies, and one national government to come and find out what I knew how to do because they all of a sudden discovered that what I knew was valuable. The people would ask me all these questions and I would happily answer everything and at the end I'd say, well this is how I make my living, would you like to buy product or would you like to buy systems; and everybody said exactly the same thing, thank you very much Mr. Cockerum for telling us how that this is doable, now we will have the scientists in our own country figure it out so we can patent that here; I heard that ten times and it was so disrespectful I couldn't believe it. After hearing that the last time I contacted my patent attorney and had my patent applications stopped because all of the systems and everything else that I had developed, I was patenting all that because it was worth a fortune, but when people were so rude I decided that I would rather do my job than spend the rest of my life in litigation, so I canceled those applications and I published the entire thing into the public domain so that anybody could use it anywhere. So I guess that shows how selfish I am.

Commissioner Wilson said he had four questions for Mr. Cockerum: 1. Would you answer the nitrate problem. 2. Are the flies grown in cages or in a glass enclosure or what is it, I mean, my house has been coated with flies because Kessler's dumped about 500 truckloads of manure right across the ditch from me and left it there for a month and a half and so I know if they're not contained what happens. 3. the smell, this kind of goes along with, are you going to have the same type of system as you had in Payette, which in the letter from I don't know the city recorder or somebody that they'd never had any complaints, so a couple of those kind of blend in together. 4. and the last one, and maybe I could ask someone in the audience here - Stuart are house flies what transfer the onion maggots.

Stuart Reitz: No, they're a separate species, the house flies are not themselves a danger to the onion production.

Commissioner Wilson: Okay, that answered that one.

Cockerum: well, on the nitrates, yeah there's nitrates in the manure, the thing that, when I use the manure I, the insects tear through it so rapidly; house flies don't eat manure, they don't eat dead animals, they don't eat anything like that at all, they eat the bacteria and the yeast that grow on those substances. The leftover manure that I have used over the last 20 years, the Master Gardeners in Tillamook County would come and take it away, I didn't even ever have to worry about it, I just put it on a trailer in the backyard and they'd come pick up the stuff, take it away, use it and bring the trailers back clean. Since I've been operating here, my friend Rod Beaver who has Beaver Produce and Beaver Nursery out on the other side of the river just north of Payette, he's been putting my manure onto the grow beds for his watermelons and cantaloupes and tomatoes for years. We've never ever had a problem except that he's, well there's no problem, he loves the result that he gets out of the manure. We've never had enough that we ever got to the point where we thought there was going to be too much. Now, on the manure that I would produce, the (inaudible) manure that I would produce over the next few months I'm planning on putting out in the vegetable patch; there is no way that I could come up with enough manure in what I've got in the small size operation that I'm doing that would exceed what one can use in a single garden. There's just not that much of it there. What was the last question?

Commissioner Wilson: the smell and that, if its going to be the same kind of system you had in Payette that you had the written letter from the city, was it in town?

Cockerum: Yeah, my building, the man who I leased from is dead, and he was a dear friend

Commissioner Wilson: how close was it to houses

Cockerum: well Chief Clark, I saw Chief Clark, I saw that spurious television thing yesterday in the Chief of Police's Office in Payette, Chief Clark said you were next door two blocks away for two years and he says nobody in town ever so much as made a complaint about a fly or a smell.

Commissioner Wilson: are you going to use the same kind of system

Cockerum: yeah

Commissioner Wilson: okay, so then I guess the last thing is are the flies, I mean you don't open the door and half get out, are they in cages or something

Cockerum: the insects are handled in actually two different ways, the live insects; the dead insects are of course that's no problem. But the live insects are done in two ways, the adult habitat, which is the adult population, are completely contained and their nutrients and heat and everything in a very tight spot. Now when I was in the Renelli (*sp*) building in Payette we built what we call fly tight, I mean we built buildings with interior structures to keep the insects completely contained, and it was difficult, it was hard to do. What I use is tents; the easiest thing to do, instead of going out and spending hundreds of dollars on building or thousands of dollars on building a room, you know, for 87 bucks you can get a tent from Walmart that does every single bit as good, so my insects are kept in that, I figure if they keep a mosquito out from a camper they keep a big ole fly in; and it's always worked very well. Now on the larvae grow beds themselves, I'll have a table about, well the ones that I'd like to build if I'm allowed, will be four foot by twenty foot in one of the containers. In to those grow pans, that are just slightly smaller than that, that the manure goes on and some light is put on there to heat and the insect eggs are allowed to incubate there. So that's open, but, I've never had any problem with it; I don't wear gas masks or anything like that and as far as the smell is concerned, you know, go talk to a dairy farmer and see what he smells like. It's simple agriculture, this is not anything scary, it's not toxic nasty chemicals or anything, it's the same thing everybody's been dealing with all along. Is that all sir?

Commissioner Wilson: Yes, those were the questions that I had

Judge Joyce: is there anything that hasn't been touched on here today?

S. Holton: I just have a concern, he talks about the tents, is that something we're going to have to contend with, him having 45 tents out in his yard growing them out there through the summer months? This is stuff that's coming out of his mouth that he's planning on doing; is it going to stop with one tent, 80 bucks times 100...

J. Holton: (inaudible) sanitation

S. Holton: yeah, I mean, its a tent, tents aren't air tight, a fly can get out of miniscule area

multiple persons talking

Judge Joyce: we had two letters of support from the City of Payette and an individual for Skip so we'll enter that into the record. I believe we've heard the rebuttal on both sides, I don't think there's an issue here that hasn't been brought up. Also, is there a staff recommendation, summary or recommendation?

Mr. Scott: I gave a memo to the County Court and my recommendation was two fold. My first recommendation was that you accept the Planning Commission decision, findings of fact, and approve it; or the second would be for you to remand the question back to the Planning Commission for further testimony and deliberation.

Judge Joyce: okay, and that concludes your report

Mr. Scott: yes

Judge Joyce: is there anything we've left out in this hearing

L. Johnson: am I allowed to ask a question

Judge Joyce: we'll allow one question

L. Johnson: It was my understanding that the facility in Payette was a processing facility not a grow facility so I think we're talking about two different, (inaudible) watched the Dirty Jobs it was a processing facility (inaudible)

S. Cockerum: would you like me to answer that Judge

multiple persons talking

J. Holton: I gave you a piece of paper that could answer that from his own employee

multiple persons talking

Commissioner Wilson: just let him answer and then

Judge Joyce: we'll finish

S. Cockerum: in Payette I had two facilities; at the time the television people were there there was only one. But, I had a bird food factory where I would process the bird food. In a separate facility completely was the insectary.

The insectary I've always operated as a separate space from the other. In fact I do own two businesses, I guess I'm allowed to own 30 if I feel like it though.

Commissioner Wilson: So was the one in Payette, did you grow there too?

S. Cockerum: we had both. Originally the facility that I had there was just a bird food factory and my friend Lee Reed was my landlord, after a stinking, stinking Countrywide deal that fell apart on my real estate, my farm that I was buying in Vale, we shut it down. Now Lee had helped me build the facility out in Vale, he knew precisely what it smelled like, he knew exactly what everything was going on out there, because he liked the place. When I lost that property to foreclosure he offered me the Renelli building which is a 50,000 square foot building in downtown Payette, and he knew perfectly well what that place was like and he said, this is my building, move it in, I've got no problem with it at all. He built the (inaudible) inside.

Judge Joyce: you have any other questions

Commissioner Wilson: no I don't

Judge Joyce: I don't either, so I, we're going to close this public hearing and we'll take it under deliberation and under advisement, so we appreciate all your comments and your time that you've taken out of your day to work and thank you all

S. Cockerum: thank you your honor

Commissioner Wilson: thank you

FOLLOWUP DISCUSSION - APPEAL HEARING

Ms. Williams advised the Court on legal parameters regarding the appeal hearing. The appeal is to be based on the record; the Court is allowed to consider oral argument and clarification but not totally new evidence. If the Planning Commission decision is sustained the findings will be based on the record and clarification. There is a 150-day time limit for a final decision so if the matter is remanded back to the Planning Commission they will need to meet in November to hear the matter; issue a decision and notice for appeal and back to the Court no later than the first week in January. The Court could also add additional conditions of approval if they sustain the Planning Commission's decision.

ASSESSOR'S OFFICE

Assessor Dave Ingram met with the Court and requested authorization to advertise and hire for an Appraiser I as a current appraiser will be leaving employment November 13. By consensus the Court authorized Mr. Ingram to work with Ms. DuBois to fill the vacancy.

FURTHER DISCUSSION - APPEAL HEARING

Judge Joyce indicated he did not have a problem remanding the matter back to the Planning Commission for additional evidence to support the findings of fact. Commissioner Wilson noted that the Planning Commission meeting of September 24th was properly noticed; the neighbors have had an opportunity to comment at the Court's appeal hearing; Oregon Department of Agriculture has said they have no issues related to the operation; and as a condition of approval the flies should be confined within the building.

Ms. Williams confirmed the Court can make conditions of approval on what's currently in the record.

Commissioner Wilson proposed four conditions - flies confined in the building; manure removed in a timely manner to reduce odor; storage of manure outside so as not to run off on neighbors property; and that County staff be allowed on the property to inspect the premises without an administrative search warrant.

Commissioner Wilson moved to tentatively uphold the Planning Commission decision subject to findings of fact and conditions of approval to be prepared by staff. Judge Joyce seconded and the motion passed.

Mr. Braese left the meeting.

COURT MINUTES

Commissioner Wilson moved to approve Court Minutes of October 28, 2015 as written. Judge Joyce seconded and the motion passed.

CROSSING PERMIT

Commissioner Wilson moved to approve Crossing Permit #29-15 to Cascade Natural Gas for a gas line and regulator station on NW 7th Avenue #1538. Judge Joyce seconded and the motion passed. The original permit will be kept on file at the Road Department.

EOCCO LOCAL COMMUNITY ADVISORY COUNCIL

Commissioner Wilson moved to appoint Dawn Callaham, Tom Longoria, Jamie Lommel, Angela Swift, Ken Rush, and Stephanie Coon to the EOCCO Malheur Community Advisory Council. Judge Joyce seconded and the motion passed.

AMENDMENT - IGA #147797

Judge Joyce moved to approve Fifth Amendment to Oregon Health Authority 2015-2017 Intergovernmental Agreement for the Financing of Community Addictions and Mental Health Services Agreement #147797. Commissioner Wilson seconded and the motion passed. A copy will be returned electronically for recording.

LEASE WITH ERLEBACHS

Ms. Williams asked for direction on proposing a lease extension with Erlebach's for the Justice Court facility. Commissioner Wilson moved to propose a one year lease extension for the facility with Bruce and Teresa Erlebach. Judge Joyce seconded and the motion passed.

EXECUTIVE SESSION

Executive Session was called in accordance with ORS 192.660(2)(e) Real Property Transactions with Judge Joyce presiding and Commissioner Wilson present. Also present was County Counsel Stephanie Williams, Administrative Officer Lorinda DuBois, and Larry Meyer of the Argus Observer. No decisions were made during or following the session.

CANYONLANDS COMMITTEE

Commissioner Wilson noted that the Citizens in Opposition to the Owyhee Canyonlands Monument committee meeting for tomorrow will be rescheduled to November 12.

COURT ADJOURNMENT

Court was adjourned.

**BOARD OF DIRECTORS**

November 4, 2015 ~ 7 am

Tex Mex, Nyssa, Oregon

Members and guests present: Patrick Nauman, Randy Griffin, Ken Bishop, Harry Flock, Ed Susman, Nancy Dale, Alan Massey, Jeff Williams, Brad Holland, John Breidenbach, Dennis Baughman, John Dillon, Robert Komoto, Tom Anderson, Torie Ramirez, and Susan Barton.
Staff: Kit Kamo

1. Call Meeting to Order: Executive Director, Kit Kamo, opened the meeting at 7:01 a.m. as Chairman Nauman was running a bit late.

2. Introductions of Attendees: Kit then thanked everyone for coming today and gave a big thank you to Torie Ramirez for hosting the SREDA meeting. Torie gave an overview on her family's business. Then Kit asked if everyone present would please introduce themselves and what specific entity they are representing. We took a few minutes for the group to complete introductions. Chairman Nauman arrived.

3. Approval of the Annual Meeting Minutes of October 21, 2015 and the September 2, 2015 Minutes: Chairman Nauman asked if everyone had a chance to read and review the two sets of board minutes that were sent out to everyone. Chairman Nauman then asked if anyone had any questions or corrections to the minutes. Hearing none, Chairman Nauman asked for a motion to approve the minutes from the Annual Meeting and then from the September 2, 2015 regular meeting minutes as printed and presented. Jeff Williams made a motion to approve the Annual Meeting of October 21, 2015 minutes with the correction that Jeff brought a guest to the meeting, seconded by Ken Bishop. The motion passed unanimously. Jeff Williams then made a motion to approve the September 2, 2015 minutes, seconded by Brad Holland. The motion passed unanimously.

4. Financial Update: In the absence of Treasurer Sandy Hemenway, Kit Kamo provided the treasurer's report for the group. Kit went over in detail the financial handouts discussing balances at the end of the month in both the checking and money market accounts, and then totals for month end. Kit explained the Trade Show amount shows a little high as we have purchased some tickets for the show early to obtain better discounts. SREDA has hired a bookkeeper for a nominal amount and we have completed our work at the Idaho visitor's center for the year. More discussion ensued regarding the visitor's center and how it operates. Discussion then took place about the Ontario Chamber of Commerce who runs the visitor's center on the Oregon side going west. A question was asked, "What is SREDA's taxable year end?" to which Kit replied a calendar year. After Kit's detailed presentation, Chairman Nauman asked if there were any questions for clarification or discussion, there were none, so Chairman Nauman asked the group for a motion to approve the financial report as printed and presented. Ken Bishop made a motion to approve the financial update as printed, seconded by Torie. The motion passed unanimously.

5. Annual Meeting Update: Chairman Nauman provided details of the recently held annual meeting. Everyone thanked Jeff Williams for his presentation during the meeting. It was very informative and helpful.

6. Election of Officers: Chairman Nauman discussed the nominations open today and then asked for a nomination for the position of Treasurer. Sandy Hemenway was willing to refill the position. Harry Flock made a motion to close the nominations with Sandy Hemenway as the only candidate which was seconded by Jeff Williams. The motion passed unanimously. Chairman Nauman then asked for nominations for the position of Secretary. Patrick stated that Randy Griffin was also willing to refill the position. Torie made a motion to close nominations leaving Randy Griffin as the only candidate. The motion was seconded by Harry Flock. The motion passed unanimously.

Chairman Nauman then discussed the position of Vice-President and stated that Logan Hamilton was simply too busy with his new stores and other ventures to hold this office again. The group then discussed what positions are open for this elected position and several names were mentioned. After discussion, John Breidenbach nominated Jeff Williams for the position of Vice President. Harry Flock made a motion for Jeff Williams as Vice President which was seconded by Ken Bishop. The motion passed unanimously.

The position of chairman was discussed by the group and Patrick Nauman stated he would refill this position too. The group thanked Patrick for his outstanding leadership and commitment as our chairman over the past year. Harry Flock then made a motion to approve Patrick Nauman as chairman for next year which was seconded by Ken Bishop. The motion passed unanimously.

7. City and Community Highlights:

City Highlights:

- a. Ontario: No one was present from the City of Ontario so no report was given.
- b. Weiser: Patrick Nauman reported that elections were last night and three individuals were elected. Two incumbents and one new member. All are pro-economic development and pro-business which is good. Patrick said that one building in the downtown block has sold and currently there are three new ideas for possible businesses to occupy this space. Discussion is also ensuing with Intermountain Gas Company and the sale yard property.
- c. Vale: No one was present from the City of Vale so no report was given.
- d. Nyssa: Harry Flock reported the City Council is working on their budget right now looking for ways to balance it. So, right now they for some reason have settled on the SREDA annual contribution and the possibility of not funding it. Harry stated if anyone could visit with council members it may be helpful. Also, Jeff Williams stated in the past in Weiser it was effective for some of us to show up at a council meeting to discuss and support what SREDA is about. The group felt this may help the council understand better the importance of the tri-county region and the force we have pooling together.
- e. Fruitland: Mayor Ken Bishop reported on the development projects in the city. Currently, they are working on upgrading the railroad crossing and have now

received some funding. Ken also stated that housing is going strong and the Christmas on Main Street will be on December 6, 2015.

- f. Payette: Nancy Dale reported that the City is getting ready for the holidays and then reported on some new developments. They are working on the National Registry for twelve separate properties within the City. Mayor Jeff Williams said the next challenge for the City will be not having enough funding for the current facade grant program as the interest is growing.
- g. New Plymouth: No one was present from the City of New Plymouth so no report was given.

Community Highlights:

- a. John Breidenbach Executive Director for the Ontario Chamber of Commerce discussed some economic discussions he has had regarding some possible new housing development information. John then provided information about the Chambers partnership with the Small Business Center.
 - b. Susan Barton then discussed the Ford Family Leadership program and stated the next class will start in January. Everyone is welcome. Harry Flock stated he has attended this class in the past and that you will really learn a lot. Please attend.
8. County Highlights:
- a. Payette County: Kit discussed a meeting she had with one of the commissioners about SREDA. It was very positive.
 - b. Washington County: Commissioner Tom Anderson discussed the Highway 95 Project which he has done before. A presentation of the study results will be given tomorrow, November 5th, at the Weiser Vendome Center. The meeting will begin at 1:30 p.m. Commissioner Anderson then stated he attended a meeting in New Meadows with the Idaho Tax Commission which has to do with Project 78. He then noted that the County has upped the annual SREDA contribution to \$3,000.
 - c. Malheur County: Kit stated that she has been helping on some of the Malheur County economic development projects. No one else from Malheur County was present so no report was given. John Breidenbach discussed the Owyhee Canyon designation proposal and various aspects of the proposal.
9. Executive Director Report:
- Projects:
- a. Project Neighbor: Details are still in the working stages.
 - b. Project Cut Expansion: Small business in the working stages.
 - c. Project Pat: Company looking for 15,000 sq. ft. building.
 - d. Project North: A small company looking to expand and needs a building.
 - e. Project Crayola: From the State of Idaho - SREDA has submitted three possible sites.
 - f. Project Pumpkin: Is in the middle of harvest which is all done basically by hand.
 - g. Project Basket: From Idaho and we have submitted on this project.
 - h. Project Chipotle: Is a new company needing more dollars.
 - i. Project Bear: Is a small company with an expansion project in mind.

Award:

The International Economic Development Council (IEDC) awarded SREDA with a bronze award for Cross Border & Regionalism Collaboration at their annual conference in Anchorage. Chairman Patrick Nauman, Ontario Councilwoman Charlotte Fugate, and Kit Kamo attended the event and received the award on behalf of SREDA.

Other Items:

- a. Meet new Eastern Oregon University President Tom Insko in Ontario on Monday, November 9, 2015, from 4:30 to 6:00 p.m. at the Four Rivers Cultural Center. Join alumni, trustees, and friends for this special community reception. Light appetizers and refreshments will be provided. President Insko will also be at the Ontario Chamber on Monday at noon.
- b. Randy Griffin's retirement party will be at TVCC on November 18, 2015 in the Science Center from 3:00 p.m. to 5:00 p.m.
- c. SREDA draft work plan and draft budget for 2016: Kit discussed aspects of this and explained some of the details.

10. Round Table Discussion: Commissioner Tom Anderson discussed the housing shortage in Weiser and stated that folks want to move back to Weiser but cannot find housing. It was noted that our workforce area is around 65,000.

11. Adjourn: Chairman Nauman adjourned the meeting at 8:15 a.m.

Upcoming Calendar of Events:

October 27, 2015	Vale City Council Meeting, SREDA - 7:00 p.m.
October 29, 2015	Town Hall Meeting Adrian High School – 6:30 p.m.-8:30 p.m. meeting on the Owyhee desert.
November 3, 2015	Fruitland update on Oil & Gas Meeting, Fruitland Middle School 6:00 p.m. – 8:00 p.m.
November 4, 2015	SREDA Monthly Board Meeting, 7:00 a.m., Tex Mex, Nyssa, OR
November 5, 2015	Nampa economic Development Breakfast – SREDA guest of Idaho Power
November 10, 2015	Nyssa City Council Meeting, SREDA 7:00 p.m.
November 13-18	Kit on Vacation
November 26, 2015	HAPPY THANKSGIVING
December 2, 2015	SREDA Monthly Board Meeting 7 am Portia Club, Payette, Idaho
January 6, 2016	SREDA Monthly Board Meeting 7 am Ontario location TBA
February 3, 2016	SREDA Monthly Board Meeting 7 am St. Luke's, Fruitland, ID

Minutes prepared by Randy Griffin, SREDA Secretary

Ontario airport meeting minutes October 12, 2015

Discussed CH 2 M Hills plan to use magnesium chloride deicer on airport, Norm Crume asked the question as to whether magnesium chloride was banned on airports,? Shawn Coleman and Pete Morgan stated that based on the Internet research and talking to the Boise airport the use of magnesium chloride would be a severe liability for the airport.

Norm asked Committee if the level of Snow removal service being proposed by CH 2 would be equal to what had been provided in the past to which Dale crusion said yes.

Norm brought up the question to the committee what level of service is required? And at what time of day?

Dale stated he was not a jet pilot and that that was a question more suitable for someone like Gary Taylor.

Tom Frazier stated that if the airport was not Plowed that Jets like Internet truckstop will go somewhere else, but also Life light aircraft would need 24 seven access to the runway.

Tom also stated the Canadian medical flights are becoming more common as well due to the cost of medical treatment for a Canadian citizen in the USA .

Shawn Coleman stated it doesn't take a long time out of the city employees route in order to cover the runway itself, four passes with the full-size truck would be sufficient for just the runway .

Shawn Coleman asked what the stance of the city was for after hours plowing? Everyone present Said that needed to be addressed.

Pete Morgan stated that anytime there was a plow on the runway as well as when there was snow on the runway that had to be addressed with the FAA and that the city need to be aware of that.

Pete also stated that all plowing had to be finished and that if that wasn't the city could be held liable for any accidents resulting from a berm of snow in the runway.

Dale and Norm stated that CH 2 M Hill needs to have a clear written down plan as to how much snow will be removed and when with clear guidelines in place. They stated there should be some form of standard operating procedure so the plow operators were aware of guidelines for the snow removal.

Members of the Committee agreed that at one inch of snow a call should have to be made as to whether the snow would be removed at that time or if it should be left until a later time. And also that piles of snow should be placed in specific locations on the airport.

Tom stated the tiedowns needed to be removed for winter operations and he stated that McCall airport had left out ropes.

Pete stated that he and Toby had discussed the fence as well as the gate wouldn't be able to be installed in till later in 2017 at the earliest.

Of which 95% would be covered under FAA funding.

Shay discussed grant funding and how it was underutilized in our area and that it was something that needed to be looked into for airport purposes period.

Pete continued discussing the fencing project and its relation to the object free zone.

Pete stated that he would get a SOP put together with CH 2 m Hill for winter operations at the airport

Meeting adjourned at approximately 7:45 p.m.



Ontario Recreation Department

Cordially Invites You to Our

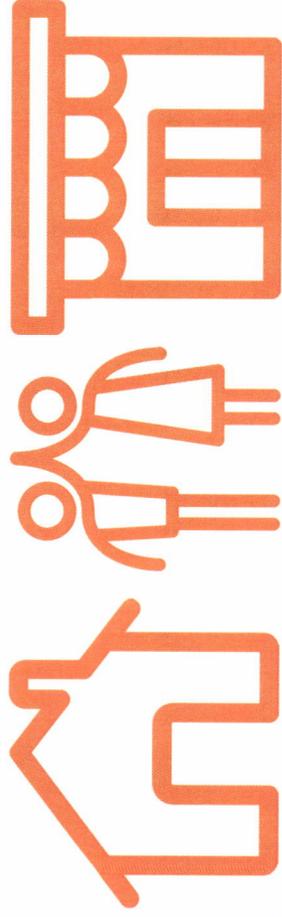
HOLIDAY OPEN HOUSE

Wednesday, December 16

4:00 p.m. to 6:00 p.m.

745 SW 3rd Ave
Ontario, OR 97914

Lite refreshments will be served!



Community Meeting

Ontario Brownfield Assessment Grant Application!

Join us for a presentation about our plans to transform properties from liabilities into assets and keep our communities and our environment clean and safe!

All local residents, business owners, property owners, and community organization members are welcome!



December 08, 2015
4:00 PM MST

City Council Chambers
444 SW 4th Street
Ontario, Oregon

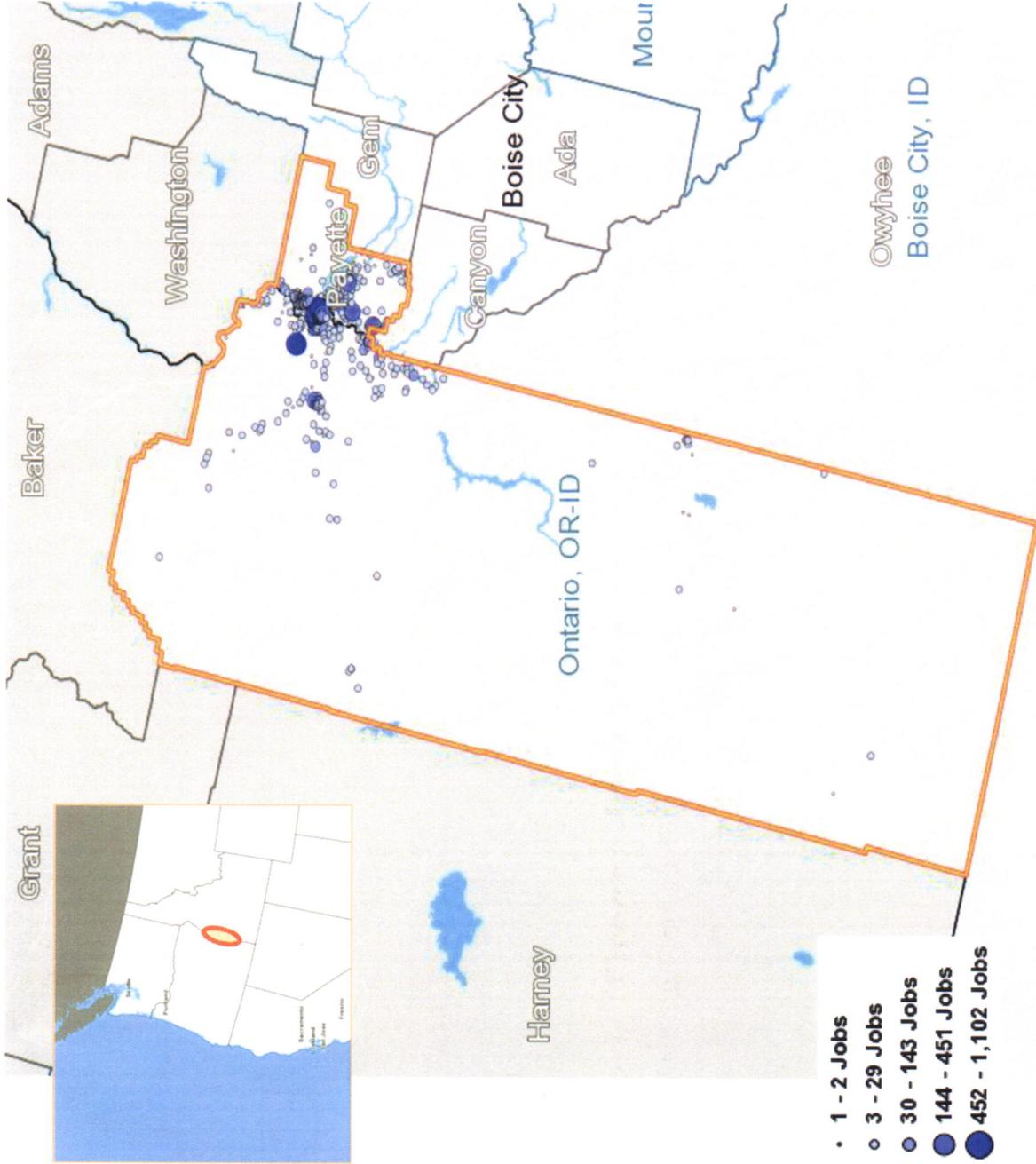
For more info, please contact Dan Cummings:
dan.cummings@ontariooregon.org
(541) 881-3222

Discussion Topics:

- Our efforts to obtain a \$600,000 grant from the U.S. Environmental Protection Agency.
- The impact brownfields sites have on the livelihood, health and safety of our community.
- How addressing blighted properties enhances our neighborhoods and provides new job opportunities.
- Your ideas about priority sites throughout the community.
- Redevelopment strategies and desired project outcomes.
- Community involvement opportunities.

Ontario, Oregon-Idaho Micropolitan Statistical Area . . .

Malheur County, Oregon + Payette County, Idaho = an integrated labor market



LABOR SHED – where Ontario Micropolitan Statistical Area workers live (17,768 primary jobs)

- Malheur County: 6,572 (37.0% of area workers)
- Payette County: 5,058 (28.5%)
- Neighboring Counties (~ 60-mile drive)
 - Canyon, ID: 1,535
 - Washington, ID: 753
 - Ada, ID: 735
 - Gem, ID: 310
 - Baker, OR: 102
- Other locations: 2,703

The Top 5 -- Breakdown of 17,768 Primary Jobs by Industry Type

1. Retail trade: 2,542 (14.3%)
2. Health Care and Social Assistance: 2,464 (13.9%)
3. Manufacturing: 1,917 (10.8%)
4. Public Administration: 1,878 (10.6%)
5. Educational Services: 1,653 (9.3%)

Jobs by Worker Age

1. Younger than 30: 3,776 (21.3%)
2. Age 30-54: 9,655 (54.3%)
3. Age 55 & older: 4,337 (24.4%)

Jobs by Earnings Paid

1. \$1,250 per month or less: 4,535 (25.5%)
2. \$1,251 to \$3,333 per month: 8,227 (46.3%)
3. More than \$3,333 per month: 5,006 (28.2%)

Malheur County:
 -Oregon's second largest county: 9,926 square miles
 -Population: 30,898 (2013); 3.1 people/square mile

Payette County:
 -Idaho's smallest county: 410 square miles
 -Population: 22,629 (2013); 55.2 people/square mile