

# Council Agenda Packet

Tuesday, June 22<sup>nd</sup>, 2021 | In-Person | 7:00 p.m. | **At the Stage in Pioneer Park**

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## Council Meeting

Tuesday, June 22<sup>nd</sup>, 2021

**Location:** In-Person | 7:00 p.m. | **At the Stage in Pioneer Park.**

### AGENDA

**Regular Session**

**7:00 p.m.**

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) PLEDGE OF ALLEGIANCE
- 4) ADDITIONS OR DELETIONS TO AGENDA
- 5) MINUTES: May 25<sup>th</sup>, 2021
- 6) PUBLIC HEARINGS OR PRESENTATIONS:
  - A. Town Hall | COVID-19 Lockdown Impacts
  - B. Rec Center Report | President Sean Johnson
  - C. Budget Public Hearing | FY 2021-2022
- 7) DEPARTMENT REPORTS:
  - A. Sheriff
  - B. Public Works
  - C. Administration
  - D. Planning
  - E. Library
  - F. Court
  - G. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
  - ★ Council asks that comments be limited to three minutes per audience member. Please state your name and address prior to commenting for the public record.
- 9) LEGISLATIVE:
  - A. **Resolution 2021.18:** Adopting FY 2021.2022 Budget & Making Appropriations
  - B. **Resolution 2021.19:** Water Rates Annual Adjustments

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This Agenda is a specific list of the subjects to be discussed at the meeting. Should you need assistance in any way, please notify S. Scott McDowell, City Administrator, at (541) 466-5880 in advance. Thank You!



- C. **Resolution 2021.20:** Sewer Rates Annual Adjustments
- D. **Resolution 2021.21:** Year End Transfers FY 2020-2021
- E. **Resolution 2021.22:** COVID-19 Lockdown Response

10) ACTION ITEMS:

- A. Approve Delinquent Assessments

11) DISCUSSION ITEMS:

- A. Annual Master Checklist Review
- B. May Financials

12) CITIZEN QUESTIONS & COMMENTS

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

13) COUNCIL QUESTIONS & COMMENTS

14) ADJOURN

Please visit [www.ci.brownsville.or.us](http://www.ci.brownsville.or.us) for the meeting agenda, agenda packet and other City information.



**May 25<sup>th</sup>, 2021**

**ROLL CALL:** Mayor Don Ware called the meeting to order at 7:00 p.m. in the Community Room with Councilor Thompson, Councilor Hansen, Councilor Neddeau, Councilor Humphreys, Councilor Craven, Public Works Superintendent Karl Frink, Administrative Assistant Tammi Morrow, and City Administrator Scott McDowell present. Councilor Gerber will be attending the meeting from the listening room until she is able to speak to the group.

**PUBLIC:** In the listening room, Council Chambers, were Administrative Assistant Elizabeth Coleman serving as room monitor, Sergeant Beth Miller (*LCSO*), Councilor Carla Gerber, Eric Gerber, and Sherri Lemhouse. Tia Parrish (*The Times*) was also in attendance.

City Administrator McDowell reviewed the in-person meeting parameters employed tonight. He reported that average attendance at Council meetings is about 20-25 people. For the City to comply with Governor Brown's current guidelines, McDowell has arranged for Council, Staff, and meeting presenters to be seated in the Community Room with proper social distancing. Listening room guests are seated in the Council Room with real-time audio of the meeting. Guests will be invited to come over to the Community Room at the appropriate time if they desire to speak to Council. Also, as social distancing in the room allows, the guests will be invited to join Council in the Community Room, if possible. This will be determined as the meeting progresses, presenters leave the building, and more space is available. Masks can be removed while speaking, eating, and observing social distancing. All the chairs have been placed more than six feet apart.

The pledge of allegiance was recited.

**ADDITIONS AND DELETIONS:** McDowell would like to delete the first Public Hearings Presentation of Mr. Sean Johnson, Central Linn Recreation Association. Mr. Johnson was unable to attend the meeting this evening. McDowell proposed adding Carla Gerber to the public hearing portion of the meeting tonight.

**MINUTES:** *Councilor Hansen made a motion to approve the April 27<sup>th</sup>, 2021 minutes as presented. Councilor Thompson seconded the motion and it passed unanimously.*

*Councilor Hansen made a motion to approve the May 6<sup>th</sup>, 2021 Budget Committee minutes as presented. Councilor Craven seconded the motion and it passed unanimously.*

## **PUBLIC HEARING | PRESENTATIONS:**

### **1. Carla Gerber | Mask Mandate Request | CDC OHA Rules.**

Councilor Gerber read a prepared statement (attached as an exhibit) to Council regarding mask compliance, civil disobedience, and ramifications. She feels her interpretation of Oregon law needs to be followed, even if we are not personally in favor of it. Councilor Gerber does not feel that she can remain on Council if general agreement about masks cannot be reached.



Mayor Ware stated that he has a great deal of respect for Councilor Gerber, but believes the rest of the Council needs to be respected too. Mayor Ware commented that he hopes that she will not be resigning due to this very complex issue.

Councilor Neddeau asked if she is worried about her health, or the liability for Council. Council did not obey federal law when they were forced to vote for the marijuana dispensary to be allowed to open in town.

Councilor Hansen stated that he has a great deal of respect for Councilor Gerber and that if he were inclined, he could prepare an opposing view that would have the same weight as what Councilor Gerber has stated tonight. He believes that we need to reserve the rights of individuals to make their own health decisions. Hansen respects where Gerber is coming from, but we need to leave it where it is.

Mr. McDowell stated that it seems that we are looking for a compromise. The City has offered folks alternatives with the teleconference for many months. He stated that the CDC changed direction shortly before this meeting, and we may see some real changes to lockdowns all over the nation in the near future. He posed a question to Councilor Gerber that if the mask mandate goes away in two weeks, would she still feel the need to resign.

Gerber stated that it is a fundamental agreement that Oregon law needs to be followed, even if we are not personally in favor of it, and that we need to not actively protest the law within our own meetings. Councilor Gerber stated that if the mask mandate continues to be in place, we can clearly meet outside. Vaccinated people would not have to wear their masks, but unvaccinated folks will have to wear them. She stated that she felt Council is expressing civil disobedience against the Oregon law, and she will not sign on for that.

Councilor Craven suggested that if Councilor Gerber attended the meetings by teleconference, how would she be complicit?

Councilor Gerber stated that as a Council member she still feels that she would not be upholding the law to be a part of this body of government if we cannot reach agreement. She left the meeting at this time.

2. **Proposed Use of State Revenue Sharing | FY 2021-2022.** Mr. McDowell stated that the resolution was passed at the last meeting. We are required to have two public hearings where the public is invited to speak. Hearing no public comments, Mayor Ware moved on.
3. **Budget Public Hearing | FY 2021-2022.** Mr. McDowell reviewed some of the highlights for the proposed budget including Remington Park improvements, Rec Center renovations, Pioneer Park improvements, and the GR 12 water line. The downtown sewer project will be out for bid soon. Oregon Water Resources has required a Water Conservation and Management Plan (WCMP) from the City, which we have contracted with Tim Tice at OAWU to complete with Staff assistance. Funds were also included for developing a plan to meet TMDL requirements. Recently, Department of Environmental Quality (DEQ), decided to make all cities in Oregon Designated Management Areas (DMA's) with the threat of serious penalty. The floor was opened for public comments. Hearing none, the public hearing was closed.



## **DEPARTMENT REPORTS:**

- 1. Linn County Sheriff's Office (LCSO) Sheriff's Report.** Sergeant Beth Miller gave the report for the month including 14 citations, 13 warnings, 73 complaints and 210 patrol hours for the City. She said the crime report was small, with just a few hit and runs, very minor overall. Mr. McDowell stated that the park caretakers, Bruce & Amber Castleberry have arrived. The traffic devices should be here soon. Mr. McDowell, Mr. Frink, and Sergeant Mattingly have gone through the training.
- 2. Public Works.** Superintendent Karl Frink reported that Public Works has been busy this spring, mowing, weeding, and cleaning up the cemetery. Remarkably, there have been no water leaks this month!

Public Works switched over to the river to keep up with demand. We needed new pumps; they cost \$4,200, which was better than the initial bid of \$7,200. These new pumps are more efficient, and will be operational next week. All instruments will be calibrated by Mr. Frink.

The City has received approval by the State Drinking Water division. We are still working on the GIS mapping. Public Works has had one guy out, and one on vacation, so we have been spread pretty thin.

There was a hazardous tree removed behind the library. It was scheduled to come out during the downtown sewer project, it just got moved up on the timeline. There is likely to be others that will come out during the project.

Superintendent Frink stated that they will be grading the gravel streets soon, and then the dust control agent will be applied. They are doing this work with the backhoe with the grader blade. Staff continues to look for an affordable grader to procure.

Frink reported that the new park caretakers have arrived as Mr. McDowell previously stated. They will begin their work season on Thursday.

Frink reported that the City Hall window project is ongoing. It is likely that the irrigation for City Hall will be turned on soon.

About this time of year Mr. Frink gets a lot of questions about when PW will be mowing the Right of Ways. He stated that there is no set time and date for this project, they simply get to it as they can.

Frink recently attended a Zoom meeting about being the Designated Management Agency (DMA) regarding TMDL. It is a never-ending work in progress.

- 3. Library.** Librarian Sherri Lemhouse reported that she has been very busy this spring. She has made presentations to 3 different agencies. The presentations were well received, and she was able to learn a lot from the process.

Mrs. Lemhouse drew Council's attention to the history boards in the room tonight. The museum has completed a redesign, so these boards are not currently being used. Mrs. Lemhouse is working on another, a history board about Mr. and Mrs. Moyer. The boards will be rotated around City Hall and the Library.

The Friends of the Library trimmed all the bushes around the Library.



The Library will be closed for maintenance the week after Pioneer Picnic.

The Summer Reading program will be on Fridays in July. Sarah Glenn and Katie Vanderstelt are working on take and make projects in lieu of craft time for the program.

Council expressed their appreciation for all her hard work keeping the Library open during the lockdown!

- 4. Planning.** Mrs. Coleman reported that the Planning Department has been busy as usual. Several lots in town that have been dormant for years have been sold and folks are looking to develop them; some have some special development issues.

She said that it is very important to be able to give folks consistent answers. Mr. McDowell stated that it is important for folks to do their own work, and come to the City with their plan. Often, if they don't get the answers they want, they will try to divide and conquer City Staff by asking someone else. The City does not play that game. The rule is that generally they have one contact, Mrs. Coleman, and we work forward from there. Some folks will try to circumvent the Public Works Standards, especially in the planning area. The volume in planning has really taken off with the booming economy.

Mrs. Coleman spoke about the River's Edge subdivision project. They met on April 26<sup>th</sup>, 2021, to discuss project modifications. They are proposing that Phase 1 & 2 change from 39 town houses to 20 single homes. This modification had to come back as a new proposal to the Planning Commission. The new proposal was approved with conditions. On Phase 3, there are still some changes that need to be addressed.

McDowell added as a reminder that Council was not privy to the details earlier, because Council is responsible to hear any appeal that could have been filed by any party against the development. Since no appeal was filed, Staff could share the details.

- 5. Administration.** Mr. McDowell reported that Park Board has been working on improvements for Remington Park. Designs include a westward view, picnic table, trash can, pet waste station, and natural play area. All features need to be compliant with public works ease of maintenance and industry standards.

Mr. McDowell read a thank you card received from Alex Paul for Council. He very much appreciated the Appreciation Certificate from Council, and the kind words.

The downtown sanitary sewer project will go out for bid in June. Bids will be received back, and hopefully the project will start in August. Ideally the project will be completed by September.

McDowell asked Council to consider a permanent ordinance for takeout dining outdoor seating as suggested at the last meeting by Councilor Hansen.

Organizer Wade Long has officially cancelled the 2021 Rally by the River event. With the Governor Brown's orders lasting until June 28<sup>th</sup>, it is impossible to predict if the event will be allowed to be held. With all the pre-planning needed, it was decided to cancel the event again this year.

Weed season starts June 1<sup>st</sup> so Staff will be out soon checking properties and posting notices as appropriate.



Steve Barnett, Linn County, has updated the information for Brownsville GIS.

The Canal Company has provided proof of insurance to run the pumps. Public Works will be starting those up soon, weather dependent.

Mr. McDowell discussed advocacy. Prevailing rates increases are astronomical. Our annual increase of 3% for utility bills does not come close to keeping up with their 30% increase! This is very concerning. McDowell discussed the history of BOLI and prevailing rates. One example of how prevailing rates have adversely affected the City in the past is the restroom in the park. The original bid for the project was \$48,487. Upon our attorney's advice, the City was forced to pay prevailing wage rates in case of any change orders that would have pushed us over the \$50,000 limit. The final actual cost was \$93,611, nearly double of what the project should have cost. The taxpayers are paying these ridiculous prices to what end? As these kinds of costs continue to skyrocket, the City will just incur more and more debt as we will be unable to self-fund projects. It is so important for Council to advocate for our rate payers.

Another prime example of an agency out of control is Department of Environmental Quality (DEQ). We are required to pay an annual program support fee of \$100. Their late fee is \$50! What legitimate business charges you half again your bill in 30 days? Again, the time to advocate for our position is now.

McDowell shared a picture and story about new planters recently installed in Walsall, England. Resident there thought they looked like Mario Cart planters and complained vigorously.

**6. Court.** No comments.

**7. Council Comments.** Councilor Craven put together a report of data that he shared with Council (see attached). He is concerned with the health of our local citizens and businesses, and how they are faring though the extended lockdown and the mandates coming out of Salem. After discussing Covid-19 data he asked Council if they would like to hold a town hall meeting to allow folks a platform to allow Council to fully understand each business's unique situation. It will also be a place for parents of school aged children to talk about the mental well-being of their families. Craven believes that as elected members of City Council, we need to perform the duties we all took an oath of office to uphold and were elected to do.

Councilor Thompson asked for clarification about exactly what the aim of Council would be for holding a Town Hall. Thompson wanted to see the proposed resolution and learn more about the goal. Mayor Ware agreed with Councilor Thompson. Discussion ensued. Councilor Thompson wanted to do what she could to help local businesses but wanted to ensure that Council did so in a respectful way.

McDowell said he would send Councilor Craven's materials, the resolution from Harrisburg and the advocacy letter template from Harrisburg for Council review. Council could host a Town Hall as part of the next Council meeting and invite our business community including engaging the Chamber of Commerce.

Council agreed by consensus to move forward with the Town Hall plan.

**8. Citizen Comments.** No comments.

## **LEGISLATIVE:**





- 1. Resolution 2021.17 – Election to Receive State Shared Revenues.** *Councilor Neddeau made a motion to approve R 2021.17. Councilor Hansen seconded the motion and it passed unanimously.*
- 2. Ordinance 786 – Kreutzer Alley Vacation Request (Second Reading).** *Councilor Craven made a motion to read O 786 by title only. Councilor Humphreys seconded the motion and it passed unanimously. Councilor Hansen made a motion to approve O 786 as presented. Councilor Craven seconded the motion and it passed unanimously.*
- 3. Proclamation – National Military Appreciation Month.** Mayor Ware proclaimed May 2021 as National Military Appreciation Month to pay tribute to those that have sacrificed so much for our freedom. Mayor Ware and Councilor Humphreys were recognized as veterans and thanked for their service.

## ACTION ITEMS:

- 1. Chamber of Commerce | Pioneer Park Use Request.** McDowell informed Council that the Chamber would like permission to use the pavilion to provide breakfast for the Pioneer Picnic event. The event may be a drive-thru or an event in the pavilion with proper distancing and protocols observed as suggested earlier today by Councilor Hansen. *Councilor Neddeau made a motion to allow either style of event to happen. Councilor Hansen seconded the motion and it passed unanimously.*
- 2. Joint EMA Coordinator Partnership IGA.** McDowell provided an oral report for Council. He is happy with the IGA, with some minor changes such as numbering issues, small things like that. There is funding in the budget for this IGA. *Councilor Hansen made a motion to approve the IGA. Councilor Thompson seconded the motion and it passed unanimously.*
- 3. Antique Faire | Joe DeZurney.** Mr. DeZurney has been in touch with Mr. McDowell wondering if Council will allow the park to be used for the Antique Faire this year. Normal attendance for this event is about 1,300 folks. Current standards would limit this number to 200 folks. Insurance has been obtained. This event could be hosted on private property, and the same standards and rules would not apply. The event group is also considering holding the event on a Sunday instead of the usual Saturday. *Councilor Craven made a motion to approve the event to be held in Pioneer Park as usual. Councilor Hansen seconded the motion. The motion passed unanimously.*

## DISCUSSION ITEMS:

- 1. Linn County Road Department | Main Street Scrub Seal.** Kevin Hamilton, Operations Manager for Linn County Road Department, has informed the City that they will be doing a scrub seal on Main Street on Thursday August 5<sup>th</sup>, 2021. They will be talking to Mr. McDowell about logistics as the project draws near.
- 2. April Financials.** No comments.

Council adjourned into executive session @ 8:56 p.m., and out of executive session at 9:14 p.m.



## **Council Minutes**

*Councilor Hansen authorized Mayor Ware and Mr. McDowell to pursue a real estate action as needed. Councilor Craven seconded the motion and it passed unanimously.*

**ADJOURNMENT:** *Council adjourned by consensus at 9:18 p.m.*

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City Administrator S. Scott McDowell

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Mayor Don Ware

In the early '90s, I coordinated the Legal Services for the Homeless program for the King County Bar Association in Seattle. During that time, Seattle became the first city to attach criminal penalties to sitting or lying on public sidewalks. Homeless advocates staged several protests by having "sit-ins" on sidewalks outside the courthouse. Many of the advocates were arrested and charged with misdemeanors. Most were surprised and distressed to discover that the charges were not dropped, and they faced permanent criminal convictions on their record. They did not realize that by engaging in civil disobedience, they would suffer the legal consequences of the law they were protesting. Since then, I have attended several workshops on advocacy. A core principal of advocacy is to understand the legal consequences of a protest and only involve people who understand the consequences are and willing and able to accept those consequences.

When I first brought up my concern a couple of months ago about City Council members not following Oregon's public health mandate for face coverings, I naively thought there was confusion about the legal requirements or that Council members didn't have access to the full public health reasons behind the mandates. I researched the legal requirements, offered to bring in public health experts and spoke to our representative at the Governor's Regional Solutions board.

I now understand that some members of Council understand the law, believe it is wrong, and are engaged in acts of civil disobedience against the law. I am not referring to people who forget to put their mask back on after eating or who struggle to keep it over their nose. I am referring to people on Council who do not wear masks at all or wear them below their chin for the duration of in-person, indoor public meetings.

As of right now, to comply with the law, Council has several options:

- Agree that all attendees will wear masks during council meetings, except when eating or drinking.
- Agree that only people who are unvaccinated will wear masks, after checking the vaccine status of attendees.
- Hold the Council meeting outside with social distancing and not require masks
- Meet remotely via video platform.

I understand that people on Council may feel strongly that it is their right to not wear a mask, and they feel obligated to protest the law in all locations, including public meetings. However, by not enforcing the mandate, all Council members are liable, not just the individuals who do not comply. Businesses and city councils have been fined in Washington and Oregon for not enforcing the mask requirement. According to the Oregon Health Authority, "It is a Class C misdemeanor to violate the mask, face covering, face shield requirement. The Oregon Health Authority and Local Public Health Authorities can issue civil penalties and take other enforcement actions for violations....An individual or business that has a state issued license may be subject to licensing action..." I do, however, understand this is unlikely to happen in Brownsville. Yet, nevertheless, as a Council, we collectively govern the conduct of the meeting and can be held legally liable for not following State rules.

I know some people also believe that Council cannot enforce public health requirements because it would be a violation of individual civil liberties. However, to date, courts have not overturned

mask requirements based on civil liberty or other constitutional claims. Legal precedent established in *Jacobson v. Massachusetts* <sup>council</sup> finds that the Government may impose restrictions on behavior in the cases of public health – in fact officials of the State are entrusted by the Constitution to “guard and protect” the “safety and health of the people.” The government regulates behavior all the time from seat belt laws to noise ordinances. The current Oregon mandate does not consider compliance or enforcement to be a matter of personal choice or civil liberty, and so far, the courts have agreed. It is possible, of course, that this precedent could be overturned in the future. Thirty years after the first sit-lie law in Seattle, for example, a Boise court overturned a portion of one of those laws by determining that it is cruel and unusual treatment to not allow people to lie down when there are no shelter or housing options available to them.

It has also been noted that there is a medical exemption to face covering requirements in Oregon. The Oregon rule indicates that if a person with a disability cannot wear a face covering, then the organization needs to provide a reasonable modification. However, the guidance states, “A reasonable modification **does not include** allowing a customer inside without a mask, face covering or face shield.” For council, a reasonable accommodation would be to allow people to attend the meeting via teleconference.

One of the strengths of this council, has been that we have been conservative (with a little c) in our actions. We have followed laws, even when we personally disagree with them, reserved collective advocacy for areas where we have consensus and we have put aside our broader political differences for the common good of our community.

I am very hopeful that Oregon requirements will continue to relax, and face coverings will soon become a non-issue. However, I don’t feel comfortable remaining on Council without a general agreement that:

- We will follow all Oregon & Federal laws and mandates during public meetings. Each of us can advocate and engage in civil disobedience as individuals, just not during public council meetings.
- I also hope we can commit to communicating with each other directly to express concerns and debate the issues. We can express different opinions in respectful ways, but we cannot come to resolution if we do not talk to each other.

if it is the will of the Council overall that it is each individual council member’s choice to comply or not comply during meetings, I will respectfully resign from council. I don’t feel comfortable accepting the moral or legal liability of a cause that I personally do not believe in. I will look forward to volunteering in other capacities and will wish all of you well in the important work you have ahead of you.



June 22<sup>nd</sup>, 2021

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

Please bring your own beverage and snacks. The meeting will be held at the Stage in Pioneer Park. Thank you!

### One liner of the month



The main purpose for your shinbone is to find furniture in the dark.



**Note:** The first section of this report provides an overview of topics to be discussed the night of Council. If an item title is **highlighted in green**, that means the item is part of Council Goals. When you see this symbol, ☐, it means more information will be provided at the meeting.

“Not being heard is no reason for silence.”

~ Victor Hugo, Writer

“There are some things you learn best in calm, and some in storm.”

~ Willa Cather, Writer

“Sometimes evolving doesn’t mean transforming. Sometimes it just means owning what is there.”

~ Salma Hayek, Actor & Producer



## AGENDA ITEMS DISCUSSION

The following items follow the order of the Agenda

### 6) PUBLIC HEARINGS OR PRESENTATIONS:

- A. **Town Hall | COVID-19 Lockdown Impacts** – The City and Chamber have invited local business owners to speak about how we could collectively help our local business community.
- B. **Rec Center Report | President Sean Johnson** – Annually, the Rec Center reports to Council on programmatic efforts, challenges, and successes. President Sean Johnson will provide an oral report.
- C. **Budget Public Hearing | FY 2021.2022** – Mayor Ware will leave the floor open for anyone from the public wishing to speak about the budget as proposed by the Budget Committee.

Items included by the Budget Committee in this FY 2021-2022 budget are below:

- ★ Approve the Full Permanent Tax Rate – \$6.9597 per \$1,000.
- ★ Approve the levy amount needed for the Wastewater Bond Debt – \$138,433.
- ★ Recommend a 3% Utility Rate Increase for the upcoming fiscal year.
- ★ Approve Historic Use of State Revenue Sharing.



- ★ Approve and recommend the continued use of all designated funds and line items contained in this FY 2021.2022 budget document.
- ★ Approve the FY 2021.2022 Budget and recommend the same to Council.

Please visit the City website for the complete FY 2021.2022 Budget.

## 9) LEGISLATIVE:

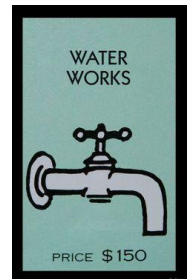
- A. Resolution 2021.18: Adopting FY 2021.2022 Budget & Making Appropriations** - Each year Council must pass three resolutions to certify the passage of the annual budget. The City has historically accomplished this by adopting one resolution in accordance with State law. The resolution adopts the upcoming fiscal year's budget, makes appropriations, and imposes & categorizes taxes. Any changes to the budget at this point would require a special meeting of Council. The FY 2021.2022 Budget can be found on the City website at <https://www.ci.brownsville.or.us/citycouncil>.



### ***What is Council being asked to do?***

Pass this resolution to officially adopt the budget appropriations and impose taxes.

- B. Resolution 2021.19: Water Rates Annual Adjustments** – Each year Council passes a utility rates resolution. The Budget Committee recommends a 3% increase in both the water and sewer utilities. I have included the current rates in the agenda packet for your review and for comparison purposes.



### ***What is Council being asked to do?***

Pass this resolution to officially adopt new water rates for the upcoming fiscal year.

- C. Resolution 2021.20: Sewer Rates Annual Adjustments** - Each year Council passes a utility rates resolution. The Budget Committee recommends a 3% increase in both the water and sewer utilities. I have included the current rates in the agenda packet for your review and for comparison purposes.

### ***What is Council being asked to do?***

Pass this resolution to officially adopt new sewer rates for the upcoming fiscal year.

- D. Resolution 2021.21: Year End Transfers FY 2020.2021** – Each year Council passes a fiscal year end transfer resolution to properly account for transactions that happened during the fiscal year that may have exceeded line-item spending limits.

### ***What is Council being asked to do?***

Pass this resolution to approve these year-end transfers for accounting purposes.

- E. Resolution 2021.22: COVID-19 Lockdown Response** – Council has been provided with information from Councilor Craven and myself as requested by Council at the last meeting. Councilor Craven's report and information is included again in the agenda packet for your review and consideration.



### ***What is Council being asked to do?***

Consider passage of the resolution to assist local business and show regional support with other communities who are facing similar issues.

### 10) ACTION ITEMS:

- A. **Approve Delinquent Assessments** – Annually, Council includes delinquent assessments over a certain amount, so the City can recuperate sewer utility costs.

### 11) DISCUSSION ITEMS:

- A. **Annual Master Checklist Review** – The checklist is on the website for your review. I have also included two other documents, 1) the 2021 Annual Budget TTDL, and 2) the 2021 Reoccurring Legislation as complimentary documentation. All these documents and the final budget for FY 2021.2022 can be found at <https://www.ci.brownsville.or.us/citycouncil>.
- B. **May Financials**



### **Top Five Complaints**

**Note:** I am writing this passage for informational purposes. The top five complaints are not unique to Brownsville. These top five complaints are common among all small towns all throughout America.

- 1. **Speeding** – People complain about speeding and street safety. No matter how many resources cities put toward speeding, it continues to remain a complaint.

**Brownsville’s Equation** | The City has a contract with the Sheriff’s Office for 200 hours a month.

There are approximately 730.08 hours in a month. The average month has 30.42 days and each day has 24 hours.

The City requests 25 hours of active traffic patrol. The Sheriff’s Office is also passively traffic patrolling too.

*Result* | Active patrol is about 3.4% of any given month. Even if all 200 hours were dedicated to writing tickets the percentage would be 27.3%.

Speeding can happen at any given second in multiple locations all throughout town.

*Solution* | Encourage tickets to be given to increase compliance with speed limits.







## 2. Taxes

The City has millions of dollars of aging assets. The City has many community assets or amenities for a town our size including a Library, a Rec Center and an amazing Park with many facilities, not to mention all the streets.

The City is only a portion of the annual tax bill, but many think the entire tax bill goes to the City.

The City is required by the State of Oregon to execute many statutory requirements that cost money to execute.



## 3. Utility Rates

Smaller cities certainly share this concern. Bigger cities do have it easier because they have more people to spread the costs over.

**Brownsville’s Equation** | The City has 740 utility users. The City incurs debt required by the State and Federal governments for water and sewer operations.

The City has \$8M in debt and 740 utility users.

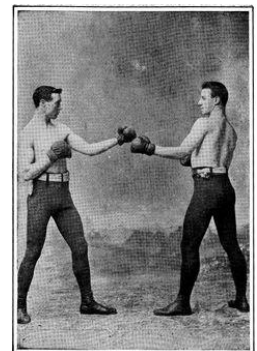
Each user would have the equivalent of \$10,810.81 to retire that debt in any given year, however, the debt runs with the ‘useful life’ of the utility. The useful life of a wastewater facility is forty years and the useful life of a water treatment plant is about twenty-five years. This only means that debt can be released slowly over that associated time frame. None of this accounts for normal wear and tear on the facilities.

*Example:* You may have a thirty year mortgage on your home, but you still have repairs and improvements to do to protect your investment. Same thing for the City and the City’s utilities.

## 4. Neighbor Complaints

- ▶ Junk
- ▶ Property Lines
- ▶ Weeds
- ▶ Disputes

Citizens lodge the majority of their complaints against each other. Someone has something the neighbor does not approve of which leads to conflict. Dogs, cats, chickens, roosters, pet waste, construction noise, loud music, trespass, shouting, disputes, tall grass, you name it – we hear it.



## 5. Permitting

Many protest the need for permits for any and every purpose.

## UPDATES, INFORMATION & HAPPENINGS

**LCSO Quarterly Meeting** – Harrisburg hosted the most recent meeting. Communities shared concerns and praises. Car break-ins are on the rise throughout the County. Please remind folks to lock their cars. Many of the break-ins are in unlocked cars. Theft is also on the rise throughout the County.





# City Administrator Report



Sheriff Yon reported that people are on edge which is making disputes among individuals more risky than usual.

Harrisburg & Brownsville discussed logistics around Fourth of July celebrations. Harrisburg was happy to hear that Brownsville would be holding a fireworks show too. They were a bit concerned about the number of people attending this show. Sheriff Yon said they would have extra deputies for both locations.

**Mid-Valley Partnership (MVP) Grant** ☒ – Halsey City Administrator Hilary Norton moved forward on behalf of the group to apply for grant funding to start making progress on the agreement that Council signed with other regional partners at the beginning of 2020, end of 2019. I have included Mayor Ware's letter of support in the agenda packet for your review.

The City also extended the RAIN agreement for two years as previously authorized by Council.

**Downtown Sanitary Sewer Schedule** ☒ – City Engineer Ryan Quigley presented the following schedule for this project.

We are scheduling the advertisement of the Downtown Sewer project on Monday, June 14<sup>th</sup>, 2021.

We need a couple days prior to advertising to get the notices to the DJC and Brownsville Times.

I am looking at bid opening on our around July 14<sup>th</sup> at 2:00 p.m. The bid opening will be an online opening, so no need to setup a meeting room.

Pre-bid meeting on around June 30<sup>th</sup>.

*From 05.25.2021:* Public Works Superintendent Karl Frink and I met with City Engineer Ryan Quigley to walk the project and confirm final plans.

*From 04.27.2021:* City Engineer Ryan Quigley told Public Works Superintendent Karl Frink and I that they are on schedule to put the project out for bid June 1<sup>st</sup>, 2021. The City will need to budget for the project into the next fiscal year.

*From 03.23.2021:* Ryan Quigley is busy putting the final touches on the bid documents. The City has secured all the necessary easements in principle. We are planning to go to bid soon.

*From 02.23.2021:* Dyer Partnership is working on a change order for additional work that has been required for this project. Council should see a full report for the February 2021 Council meeting.

*From 10.27.2020:* Councilor Block and I are in the process of meeting with Downtown property owners. City Engineer Ryan Quigley is working on the storm sewer conflict concern with Karl Frink. The City hopes to go out for bid in February 2021. The construction phase is planned to begin in April or May depending on weather and possible financing concerns.

*From 09.22.2020:* City Engineer Ryan Quigley reported that the storm sewer is interfering with the path of the sanitary sewer line. The City will need to install a run of storm sewer in association with this project. Quigley is looking at alternatives and costs associated with this complication.



**Brownsville Art Association & Chamber** ☒ – The organizations have dissolved their agreement for subletting the Art Center. The Chamber will be housed in the American Legion/Senior Center for the time being.

**Community Room Carpet Replacement** – Administrative Assistant Tammi Morrow and Public Works Superintendent Karl Frink coordinated the installation of new carpet.



*From last meeting:* Staff is moving forward with the carpet replacement in the Community Room. The carpet is showing a lot of wear and tear and is twenty-five years old. Now is a good time to change the carpet as the room is not being used by the public due to the pandemic.

**Budget Process** – Staff has been continuing work on the annual budgetary process.

**Cemetery Policy Committee** – Still in process.

**Active: River’s Edge Outcome** ☒ – Staff has spent considerable time on this project.

*From 04.27.2021:* The City is in the process of finalizing concerns with Pacific Power over streetlights. The Planning Commission is also hearing a proposal for Phase III of the subdivision. The City still will need to accept the water and sewer utilities and the streets once officially deemed complete by the City.

*From 03.23.2021:* The new sanitary sewer extension has been completed and has passed all necessary tests according to Public Works Superintendent Karl Frink.

*From 02.23.2021:* River’s Edge has completed the physical construction of the sanitary sewer line from Henshaw Drive to Hausman Avenue. Public Works Superintendent Karl Frink reports that the required testing of the line has not yet been performed.

*From past meeting:* River’s Edge Subdivision received permission from Linn County to install the sanitary sewer project from Henshaw Drive (Linn County Road) to Hausman Avenue. They have also submitted the final plat which has been approved. Ken Puhn is putting the finishing touches on the FEMA LOMR-F which will certify the earthwork that was completed on the site over the last two years.

**Linn County Sheriff’s Office Monthly Numbers** – The City is under contract for 200 hours per month. The eighteen-month average looks like this:

**LCSO Month-to-Month Comparison (18 months)**

Year	Month	Traffic Citations	Traffic Warnings	Hours
2021	May	40	15	209
2021	April	14	13	210
2021	March	18	14	213.25
2021	February	28	11	208.4
2021	January	14	10	204
2020	December	14	12	226
2020	November	26	30	204



# City Administrator Report

2020	October	16	18	202
2020	September	18	12	208
2020	August	20	14	211
2020	July	7	13	211
2020	June	20	4	213
2020	May	4	6	214
2020	April	18	5	210
2020	March	13	5	239.5
2020	February	15	20	214.5
2020	January	15	25	204.5
2019	December	16	24	206.5
	<i>Subtotal</i>	316	251	3808.7
	<b>Total Average</b>	17.56	13.94	211.59
		<i>Cites</i>	<i>Warnings</i>	<i>Hours</i>

## ACTIVE, PENDING & STALLED

**Active: Oregon Association of Water Utilities (OAWU)** – Public Works Superintendent Karl Frink provided a tour of the City’s facilities to Mr. Tim Tice.

*From 05.25.2021:* Council contracted with OAWU to work on the Water Conservation Management Plan (WCMP) as required by the Oregon Water Resources Department (OWRD). Staff has been gathering information for the study. Mr. Tim Tice is the lead representative from OAWU working on the project.



**Active: Linn County Pioneer Association | Road Use** – Staff will be closing Park Avenue as requested by the Association at the last Council meeting. The Association has also been approved to use parking in front of City Hall and possibly in the parking lot beside City Hall on Saturday of Picnic Weekend.

**Active: TMDL & Designated Management Agency (DMA) Webinar** – *From 05.25.2021:* Public Works Superintendent Karl Frink and I attended a webinar extolling the City’s responsibilities as a DMA. Many folks on the call expressed sincere concern about these regulations, the validity of the process and the associated costs. Many were frustrated.

*From 04.27.2021:* The State Department of Environmental Quality requires this topic be placed on Council agenda twice a year. Staff will outline basic components of the City’s TMDL plan. The City placed an article in the March Newsletter that was also a requirement of the plan. The basic premise of TMDL is that stormwater runoff is negatively impacting fish habitat and making fish unsafe to eat in large quantities by humans. The City recently received a letter from the Department of Environmental Quality (DEQ) that now threatens findings and orders if cities are not compliant.

**Active: LCSO Equipment Training** – *From 05.25.2021:* Karl Frink and I attended training on the new traffic counters and speed devices. LCSO is set to deliver the units soon. We will have them operational ASAP.



**Active: City Hall Windows | First Floor** – Julie Whalen of Willamette Window Restoration continues the restoration process. The City can expect the work to take about twelve weeks from start to finish.



**Active: RV Ordinance & the Zoning Code Amendment** – *From 10.27.2020:* Administrative Assistant Elizabeth Coleman and Planning Consultant Dave Kinney have been working on a major amendment to Title 15 of the Brownsville Municipal Code. The proposed RV ordinance from last meeting falls within Title 15. City Attorney Ross Williamson said that any amendments to Title 15 will require a special process as it falls within the Measure 56 rule that requires two separate public hearings and a direct mailing to all effected property owners.

*From 09.22.2020:* Council appointed Councilors Thompson, Hansen and Chambers to review the RV Ordinance from City Attorney Ross Williamson with Staff. Enclosed in the agenda packet is a draft version of that ordinance for discussion. We will review the highlights prior to the discusion.

*From 07.28.2020:* City Attorney Ross Williamson developed the language for a revision and clarification on RV's. How would Council like to proceed? I would suggest a volunteer to work through the changes with Staff and bring those changes to Council for consideration at a future meeting.

**Active: Land Inventory** – See above. *From 03.26.19:* Please review the letter from Planning Consultant Dave Kinney. I asked Mr. Kinney to provide this letter to show Council the process and the political will required for this important project.

See past reports for more information.

**Pending: Right-of-Ways & Storage Containers** – *From 12.17.19:* Council considered **two** ideas moving forward at the last meeting. Idea #1) consider permitting for temporary storage containers, and Idea #2) consider future requirements for storage containers as permitted living spaces.

*From 11.26.19:* Councilor Thompson, Councilor Neddeau, Administrative Assistant Tammi Morrow and I met to review right-of-way infringements, the ordinance and storage containers. Staff will share information with Council for possible next steps.

*From 10.26.19:* The LCSO is in the process of investigating a recreational vehicle that may be using city streets to illegally stay in town. The Sheriff's Office reported this phenomenon happens frequently in Harrisburg and other rural areas. A large semi size storage container has been placed on Blakely Avenue to help a homeowner make renovations to their property. Staff has made reasonable accommodation for this to be a temporary situation, however, Councilor Neddeau and Councilor Thompson will be reviewing this situation for possible further administrative/legislative action.

**Active: Calapooia Food Alliance Requests | Kirk's Ferry Park** – *From 05.25.2021:* The CFA worked diligently to open the Farmer's Market on May 6<sup>th</sup>, 2021. The agreement allows banners and signage on the fence for sixty (60) days and then are to be removed thereafter. The CFA can hang banners on the fence for the day of the event only after the initial sixty days. Staff will check in with area residents as well to ensure that the tenets of the agreement have been met.

**Active: Jane MacQueen Signs** – *From 05.25.2021:* Ms. MacQueen has finished signs for Kirk's Ferry Park & Remington Park. Public Works will be installing the signs as time allows.





**Active: Joint Emergency Coordinator Proposal (IGA)** – The group finalized the IGA and begins conversations with third-party vendors.

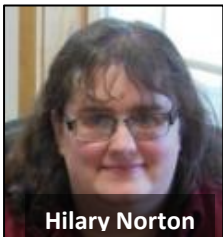
*From 12.15.2020:* Lebanon Fire Chief Joe Rodondi was excited to hear about Council’s willingness to press forward with the exploration of a joint Emergency Coordinator. Legal is working on the IGA for future consideration. Chief Rodondi is working on setting up a meeting with the City of Albany to learn more about their emergency coordinator and how their interface with Linn County works. I expect this process to take a while as the holiday season is now up us.



*From 10.27.2020:* The cities of Sweet Home and Lebanon invited Brownsville to a discussion about hiring a joint employee who would be responsible for emergency management issues. All the fire districts and cities would be working together to form an Intergovernmental Agreement (IGA) that would work out the details including office locations for the employee. The responsibilities would include staying abreast of FEMA regulations, setup training drills, and create emergency operations policies (EOP).

One thing learned during the Fire emergency was that Linn County Sheriff’s Office personnel get stretched thin very quickly leaving gaps in response that could be costly to communities.

**(See Above) Active: Go Team Meetings** – *From 09.22.2020:* Everyone continues to work toward accomplishing shared goals. Corey Wright was recently accepted into a Masters program in Germany. It is a tremendous opportunity for him. RAIN Executive Director Caroline Cummings indicated that their full staff would be picking up the slack as Corey will transition quickly to a part-time role. RAIN will be hiring another part-time person to help meet the obligations of the contract with the eight cities. Prior to the fire emergency, we were planning on engaging Scio and Tangent to consider joining the effort. Staff recently met with the group as described above.



Hilary Norton

*From 05.26.2020:* The group was unsuccessful in obtaining State funding. *From 01.28.2020:* The Mid-Valley Partnership (MVP) group has decided to apply for a Rural Initiatives (ROI) grant for asset mapping, branding and website development which were the three primary goals of the agreement. Kelly Hart of Lebanon, Hilary Norton of Halsey and I met with Carolyn Cummings and Corey Wright of RAIN to discuss our continued partnership with RAIN, impacts of applying for a ROI grant and funding avenues and options. Mayor Ware and I have signed a support letter for the ROI grant. Council may remember the IGA had a funding component that needed to be determined for the upcoming budget season. The group is currently working on determining what these levels will be for each city.

**Active: Jail Project** – Waiting for the bronze plaque to be delivered.

*From 10.27.2020:* Mayor Ware wrote copy to tell the story about the jail in Kirk’s Ferry Park. The City is working on signage for the building. The plaque will look similar to the Fire Bell plaque in front of City Hall.

**Active: Park Reservations** ☑ – I will have an update for Council Tuesday evening.

*From 03.23.2021:* The City proceeded with the lottery and received only four entrants. The City continues to have the buildings off-line for rentals due to Governor Brown’s orders.



# City Administrator Report

*From 10.27.2020:* Staff has decided to move forward with the annual mailing for Summer season rentals. No one is sure how long the pandemic restrictions will continue, but the City would rather return the required deposit than having to deal with an influx of people wanting to use the Park facilities. Staff will include a warning in the letter that the facilities may not be open due to continuing Coronavirus restrictions of course. There has been a lot speculation that June 2021 could be the targeted month for lifting restrictions.

**Pending: Linn County Road Department | Main Street Scrub Seal** – *From 05.25.2021:* Linn County Road Department is planning maintenance on Bishop Way/OR 228 and Main Street/Brownsville Road this summer. Full details are included in the agenda packet for your review from Mr. Kevin Hamilton.



**Pending: Water Treatment Plant Fence** – *From 05.25.2021: From last meeting:* Public Works Superintendent Karl Frink executed an agreement to have the fence repaired. The fence was damaged during a high wind event months ago.

**(See Above) Active: Oregon Water Resources Department (OWRD) and Wyatt Rolfe** – *From 05.25.2021:* I contacted the State to make sure they were aware that the City is working with OAWU as required. Kerri Cope acknowledged the City's current project status.

*From 04.27.2021:* Mr. Rolfe has taken a position with a law firm in Washington State. The City will continue our representation through Schroeder Law.

*From 03.23.2021:* Staff has received an estimate from the Oregon Association of Water Utilities (OAWU) to complete the Water Management Plan required by the State. I will provide a resolution on Monday, January 25<sup>th</sup>, 2021.

*From 12.15.2020:* The City must complete this project this upcoming fiscal year to stay in compliance with the order from OWRD.

*From 06.25.19:* I have included money in the upcoming budget to address the Water Management & Conservation Plan [...required by the final order issued by OWRD.]

**Active: Linn County Planning & Building Department Meeting Outcome** – The group meets to assess the situation next week.

*From 05.25.2021:* The group continues to wait on the County to upgrade and implement an e-permitting system. Future meetings will be required to continue to move this goal and other items forward.

*From 07.23.19:* Attended permit training conducted through the LCPBD. One direct result of this effort.

**Stalled: Facilities Review Committee Recommendation Outcomes** – *From 11.26.19:* The Ad Hoc Committee met to discuss the structural engineering report from VLMK and to discuss ideas, strategies, and options.



*From 9.17.19:* The City has received the Structural Engineering Report from VLMK, and it is currently under review.

**Stalled: Ad Hoc Committee Document** – *From 01.28.20:* Halsey City Administrator Hilary Norton and I met to discuss the plan of creating a document for the Ad Hoc Committee, Council and ultimately the general public that provides quick details and drawings of the future plans for the Central Linn Rec Center. Mrs. Norton will be providing illustrations for the document.

**Stalled: Canal Company & the Mill Race** – *From 04.28.20:* City Attorney Ross Williamson is currently working on this item.

## COMPLETED

**Completed: Joint EMA Coordinator Partnership IGA** – Signatures have been finalized. The group will now solicit proposals for the work to be performed.



*From 05.25.2021:* Included in the agenda packet is the IGA for the Joint EMA Partnership that Staff has been working on for the last several months. The group has finalized the language for approval by all entities involved.

**Completed: Canal Company Insurance Request** – The City received the necessary information.

*From 05.25.2021:* I spoke with President John Holbrook who authorized me to contact the insurance company to inquire about insurance coverage for this year. I have yet to hear back from the insurance company. I hope to have a report for Council Tuesday evening.

**Completed: Chamber of Commerce | Pioneer Park Use Request** – *From 05.25.2021:* The Chamber is requesting the use of the pavilion to provide a breakfast, drive-thru service for Pioneer Picnic. The Chamber would have 8-12 workers making breakfasts, taking money, and coordinating deliveries. No one will be eating in the Park itself and traffic would be funneled one way in and out of the Park. Details are still be discussed between the Chamber and the Association. There is also a concern about insurance coverage for such an arrangement. Many events are unable to obtain the proper insurance due to Covid restrictions.

**Completed: Notice of Decision (NOD) for River’s Edge Phase III** – *From 05.25.2021:* Administrative Assistant Elizabeth Coleman, Public Works Superintendent Karl Frink, City Engineer Ryan Quigley, Planning Consultant Dave Kinney and I were all involved in working on River’s Edge Phase III. Mrs. Coleman did an amazing job coordinating this undertaking. Coleman will explain some of the details at the upcoming meeting.

**Completed: Linn County Housing Rehabilitation Program (LCHRP) Update** – *From 05.25.2021:* The Board reviewed policies on several key points. Most of the points centered around cutting red tape to ease the loan process. Additional decisions that hit small limits were forcing more bureaucracy and delaying positive outcomes.

Trailer homes repair, charging interest was among topics discussed.



Overall, progress has been slow due to C-19. Lumber prices basically tripled over the last month, so projects are being delayed due to increased associated costs.

## **Other Recent Items**

- ✘ Submitted all necessary legislation to the Department of Administrative Services for the FY 2021.2022 Budget Season.
- ✘ Submitted Cemetery Report to OMCB.
- ✘ Finalized logistics for the annual audit.
- ✘ Received Overlapping Debt Report.
- ✘ Filed required survey for marijuana funding.
- ✘ Finalized the new two-year deal with RAIN.

## **PAST MEETINGS – Memory Information**

### ➤ **Kirk Avenue Project History**

For the history and status of the Kirk Avenue project, please visit the City website at <https://www.ci.brownsville.or.us/currentevents>.

Respectfully Submitted,

S. Scott McDowell, City Administrator





# June 2021

## PLANNING AT A GLANCE

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

• Structural	Secondary Residence	729 N Main St.
• Structural	40 X 72 Shop	903 Washburn St
• Structural	24 x 27 Shop	611 Calapooia Ave
• Structural	Solar Panel Installation	150 Locust Ave
• Structural	SFD w/attached garage	River's Edge Lots 9-11
• Structural	SFD w/ attached garage	Rivers Edge Lots 24-27
• Mechanical	Furnace Replacement	414 Templeton St
• Mechanical	Furnace Replacement	208 Washington Ave
• Structural	Pole Building w/Sink & Toilet	403 Kirk Ave
• Structural	SFD w/attached garage	River's Edge Lots 28-31
• Structural	SFD w/attached garage	River's Edge Lots 33-37
• Plumbing	Sewer line repair	637 Averill St.
• Construction	Secondary Residence	729 N Main St.
• Construction	40 x 72 Shop	903 Washburn
• Fence		711 N Main St
• Fence		407 E Blakely Ave
• Construction	30 x 30 x 14 Pole Building w/rr	403 Kirk Ave
• Construction	24 x 27 shop	611 Calapooia Ave

### Updates

#### **Buildable Lands Inventory**

In process.

#### **Zoning Code Amendment**

In process.

#### **River's Edge Subdivision**

Chad Davis Construction has submitted 16 building permits within Phase One of the Planned Unit Development/Subdivision. Several lots are currently in the process of construction.

An application for new construction in the Old Town Commercial Zone has been submitted to the City. A Planning Commission hearing is scheduled for June 28<sup>th</sup>.

*Elizabeth E. Grewer*

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT  
STATISTICAL REPORT FOR MAY 2021**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	24	5	5	24	1
Violations	110	19	19	110	
Contempt/Other	50	0	0	50	
<b>TOTALS</b>	<b>184</b>	<b>24</b>	<b>24</b>	<b>184</b>	

**BALANCE SHEET FOR THE MONTH**

**Court Revenue**

**Court Payments**

Total Deposits +	\$ 3,719.00	City	\$ 2,400.15
Total Bail Released +	\$ -	Restitution	\$ -
PayGov Adjustment	\$ 675.00	Oregon Dept Revenue	\$ 473.85
Total Bail Held -	\$ -	Linn County	\$ 170.00
* Total Refund/Rest -	\$ -	State Misc.	\$ -
Total NSF's -	\$ -	DUII Surcharge	\$ -
Cash Shortage -	\$ -	Misc Deposit	\$ -
Miscellaneous Income	\$ -		
<b>TOTAL COURT REVENUE</b>	<b><u>\$ 3,044.00</u></b>	<b>TOTAL COURT PAYMENTS</b>	<b><u>\$ 3,044.00</u></b>

Credit given for Community Service	\$ -
Other Credit Allowed Against Fines	\$ -
<b>TOTAL NON-REVENUE CREDIT ALLOWED</b>	<b><u>\$ -</u></b>

**TOTAL CASH PAYMENTS TO:**

CITY	\$ 2,400.15
STATE	\$ 473.85
COUNTY	\$ 170.00
*REFUND   RESTITUTION   BAIL HELD	\$ -
<b>TOTAL:</b>	<b><u>\$ 3,044.00</u></b>



# LINN COUNTY SHERIFF'S OFFICE

**Jim Yon, Sheriff**

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

## 2021

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

**FOR THE MONTH OF: May**

<b>TRAFFIC CITATIONS: -----</b>	<b>40</b>
<b>TRAFFIC WARNINGS: -----</b>	<b>15</b>
<b>TRAFFIC CRASHES: -----</b>	<b>0</b>
<b>ADULTS CITED/VIOLATIONS: -----</b>	<b>0</b>
<b>ADULTS ARRESTED : -----</b>	<b>3</b>
<b>JUVENILES CITED/VIOLATIONS: -----</b>	<b>0</b>
<b>JUVENILES ARRESTED: -----</b>	<b>0</b>
<b>COMPLAINTS/INCIDENTS INVESTIGATED:-----</b>	<b>116</b>

**TOTAL HOURS SPENT: BROWNSVILLE 208.75**

**CONTRACT HOURS = 200 HOURS**

**Jim Yon,  
Sheriff, Linn County**

**By: Sergeant Beth Miller**



## Library Advisory Board

*Librarian's Report*

May 2021

Here are a few facts about our library the month of May 2021. We have received 61 new books for the library. Of these books 16 books were purchased for the Oregon Battle of the Books for the 2021-2022 Season. These books are separated in 3 divisions 3 – 5; 6 – 8; and 9 – 12. The Library has been purchasing the new titles for the past couple months. There are a few more to go. Teams have 3 – 5 members and each division read 12 – 15 books. These teams answer Jeopardy style questions based on the books. Challenges are at the school level, regional and state level. The final State challenge is held in March each year. We have had several teams from our area make it to the State level!

Volunteers donated 132.5 hours to our library. It is with great pleasure that I announce all volunteer slots are filled for the first time in 12 years. There were 1,130 materials checked out. 336 adult fiction books; 138 adult non-fiction books; 51 audio books; 320 children's books; 184 junior books; 24 junior reference books and 47 large print books.

In May we held 4 online children's programs with 128 participants. There were 2 in person programs at the local preschool with 30 participants. It was with a grateful heart that I was able to conduct in person story times at the Learning Tree Preschool in April and May. We are all looking forward to holding in person Story Times again at the Library.

Respectfully submitted,

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

Sherri Lemhouse  
Librarian



**RESOLUTION NO. 2021.18**  
**RESOLUTION ADOPTING A BUDGET**

**BE IT RESOLVED** that the Council for the City of Brownsville hereby adopts the budget for Fiscal Year 2021-2022 in the sum of \$7,817,013, including transfers totaling \$41,800, now on file at City Hall.

**RESOLUTION MAKING APPROPRIATIONS**

**BE IT RESOLVED** that the amounts for the fiscal year beginning July 1<sup>st</sup>, 2021 and for the purposes shown below are hereby appropriated:

**GENERAL FUND**

Administration	\$	371,275
Parks & Cemetery	\$	1,403,850
Community Room	\$	0
Library	\$	202,455
Law	\$	311,900
Operations	\$	496,690
Transfers (Out)	\$	0
<b>Fund Total</b>	\$	<b>2,786,170</b>

**WATER FUND**

Administration	\$	372,100
Operations	\$	445,150
Transfer (Out)	\$	0
<b>Fund Total</b>	\$	<b>817,250</b>

**SEWER FUND**

Administration	\$	309,600
Operations	\$	772,600
Transfers (Out)	\$	0
<b>Fund Total</b>	\$	<b>1,082,200</b>

**STREET FUND**

Personal Services	\$	151,000
Materials & Services	\$	84,800
Capital Outlay	\$	112,500
Transfers (Out)	\$	1,800
<b>Fund Total</b>	\$	<b>350,100</b>

**BUILDINGS & EQUIPMENT**

Capital Outlay	\$	125,000
Transfer (Out)	\$	40,000
<b>Fund Total</b>	\$	<b>125,000</b>

**WATER SYSTEM RESERVE**

Capital Outlay	\$	50,000
<b>Fund Total</b>	\$	<b>50,000</b>

**WATER SDC**

Capital Outlay	\$	25,000
<b>Fund Total</b>	\$	<b>25,000</b>

**SEWER SDC**

Capital Outlay	\$	200,000
<b>Fund Total</b>	\$	<b>200,000</b>

**STORMWATER SDC**

Capital Outlay	\$	25,000
<b>Fund Total</b>	\$	<b>25,000</b>

**TRANSIENT ROOM TAX**

Transient Room	\$	1,000
<b>Fund Total</b>	\$	<b>1,000</b>

**LAND ACQUISITION**

Capital Outlay	\$	9,985
<b>Fund Total</b>	\$	<b>9,985</b>

**COMMUNITY PROJECTS**

Materials & Services	\$	20,000
Capital Outlay	\$	55,000
<b>Fund Total</b>	\$	<b>75,000</b>

**SEWER BOND**

Bond Payments	\$	299,962
<b>Fund Total</b>	\$	<b>299,962</b>



**RESOLUTION NO. 2021.18**

<b>WATER BOND</b>		<b>Appropriated Total</b>	<b>\$5,892,915</b>
Bond Payments	\$ 46,248	<b>Unappropriated Total</b>	<b>\$1,924,098*</b>
<b>Fund Total</b>	\$ 46,248	<b>Total Budget</b>	<b>\$7,817,013</b>

\* **Note:** Unappropriated balances are from all accounts including General, Water, Sewer Street, Housing Rehabilitation, Cemetery Trust, Library Trust, Bikeway/Footpath, Water SDC, Buildings & Equipment, Transient Room Tax, Community Projects, Water System Reserve, Land Acquisition, Water Bond, Sewer Bond, Stormwater SDC, Sewer SDC, and where money was not appropriated for expenditure.

**RESOLUTION IMPOSING AND CATAGORIZING TAXES**

**BE IT RESOLVED** that the Council for the City of Brownsville hereby imposes the taxes as provided in the adopted budget at the rate of \$6.9597 per \$1,000 of assessed value for operations; and in the amount of \$ 0 for Water Bond Debt Service; and in the amount of \$138,433 for Sewer Bond Debt Service; and that these taxes are hereby imposed and categorized for tax year 2021-2022 upon the assessed value of all taxable property within the district.

	<b>Subject to the General Government Limitation</b>	<b>Excluded from the Limitation</b>
GENERAL FUND	\$6.9597/\$1,000	0
WATER BOND DEBT SERVICE FUND	0	\$ 0
SEWER BOND DEBT SERVICE FUND	0	\$ 138,433
DELINQUENT SEWER ASSESSMENT	0	\$ 687.62

**Passed and adopted** by the Council of the City of Brownsville this 22<sup>nd</sup> day of June, 2021.

**Approved:**

**Attest:**

\_\_\_\_\_  
S. Scott McDowell  
Budget Officer/City Administrator

\_\_\_\_\_  
Don Ware  
Mayor



**RESOLUTION NO. 2021.19**

**A RESOLUTION ADOPTING A 3% RATE INCREASE FOR FISCAL YEAR '21-'22 AND ADJUSTING OTHER FEES AS AUTHORIZED BY THE BROWNSVILLE MUNICIPAL CODE, CHAPTER 13.05, ARTICLE II. WATER REGULATIONS (ORDINANCE NO. 534); AND REPEALING AND/OR SUPERCEDING ANY OTHER RESOLUTION IN CONFLICT HEREWITH.**

**WHEREAS**, Sections 4, 9, 10, 12, 13, 14, 17(1), and 17(2) of Ordinance No. 534 of the City of Brownsville, passed by the Council and approved by the Mayor on October 26<sup>th</sup>, 1981, and the Brownsville Municipal Code, Chapter 13.05, Article II. **Water Regulations** authorizes charges and fees to be set by Resolution of the Council and reviewed annually,

**BE IT RESOLVED**, that the rates and fees are set as follows:

WATER SERVICE CONNECTION FEE

The Water Service Connection Fee charged for 3/4” residential service to offset connection plan review costs, service connection installation costs, administrative and other related costs shall be as follows:

Water Service Connection Fee	\$ 1,200.00
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Larger services shall be charged based upon additional materials costs and reasonable installation charges.

MONTHLY SERVICE CHARGE

In-City

<b>Base Rate</b>	<b>0 - 300 c.f.</b>	<b>\$ 27.78</b>
Additional From	301 - 600 c.f.	\$ 1.80 per hundred c.f.
	601 - 1000 c.f.	\$ 2.00 per hundred c.f.
	1001 - 1500 c.f.	\$ 2.06 per hundred c.f.
	1501+ c.f.	\$ 2.24 per hundred c.f.

Out-of-City

<b>Base Rate</b>	<b>0 - 300 c.f.</b>	<b>\$ 41.67</b>
Additional From	301 - 600 c.f.	\$ 2.33 per hundred c.f.
	601 - 1000 c.f.	\$ 2.61 per hundred c.f.
	1001 - 1500 c.f.	\$ 2.85 per hundred c.f.
	1501+ c.f.	\$ 2.93 per hundred c.f.

<b>Water Capital Improvement Fee</b>	<b>\$2.50</b>
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METER TEST FEE

Flow test deposit*	\$ 40.50
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\* To be returned if meter registers more than 3% fast.



**RESOLUTION NO. 2021.19**

TURN-OFF FEE

Customer Requested Turn-off	\$ 15.00
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ACCOUNT DEPOSIT

New Accounts	\$ 100.00
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RESTORATION CHARGE

City Initiated Turn-off	\$ 15.00
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DELINQUENT ACCOUNTS

Late fee for Delinquent Notice	\$ 7.50
Charge for Notice of Shutoff	\$ 10.00

RETURNED CHECK CHARGE

Each Check Returned by Bank	\$ 45.00
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**BE IT FURTHER RESOLVED**, that all prior Resolutions setting rates and fees authorized by Ordinance No. 534 and the Brownsville Municipal Code, Chapter 13.05, Article II. **Water Regulations** are hereby repealed.

This Resolution shall become effective July 1<sup>st</sup>, 2021 upon being passed and approved by the City Council.

***Passed and approved by the City Council this 22<sup>nd</sup> day of June, 2021.***

**Attest:**

\_\_\_\_\_  
Mayor Don Ware

\_\_\_\_\_  
City Administrator S. Scott McDowell





**RESOLUTION NO. 2020.14**

**A RESOLUTION ADOPTING A 3% RATE INCREASE FOR FISCAL YEAR '20-'21 AND ADJUSTING OTHER FEES AS AUTHORIZED BY THE BROWNSVILLE MUNICIPAL CODE, CHAPTER 13.05, ARTICLE II. WATER REGULATIONS (ORDINANCE NO. 534); AND REPEALING AND/OR SUPERCEDING ANY OTHER RESOLUTION IN CONFLICT HEREWITH.**

**WHEREAS**, Sections 4, 9, 10, 12, 13, 14, 17(1), and 17(2) of Ordinance No. 534 of the City of Brownsville, passed by the Council and approved by the Mayor on October 26<sup>th</sup>, 1981, and the Brownsville Municipal Code, Chapter 13.05, Article II. **Water Regulations** authorizes charges and fees to be set by Resolution of the Council and reviewed annually,

**BE IT RESOLVED**, that the rates and fees are set as follows:

WATER SERVICE CONNECTION FEE

The Water Service Connection Fee charged for 3/4” residential service to offset connection plan review costs, service connection installation costs, administrative and other related costs shall be as follows:

Water Service Connection Fee \$ 1,200.00

Larger services shall be charged based upon additional materials costs and reasonable installation charges.

MONTHLY SERVICE CHARGE

In-City

<b>Base Rate</b>	<b>0 - 300 c.f.</b>	<b>\$ 26.97</b>
Additional From	301 - 600 c.f.	\$ 1.75 per hundred c.f.
	601 - 1000 c.f.	\$ 1.94 per hundred c.f.
	1001 - 1500 c.f.	\$ 2.00 per hundred c.f.
	1501+ c.f.	\$ 2.17 per hundred c.f.

Out-of-City

<b>Base Rate</b>	<b>0 - 300 c.f.</b>	<b>\$ 40.46</b>
Additional From	301 - 600 c.f.	\$ 2.26 per hundred c.f.
	601 - 1000 c.f.	\$ 2.53 per hundred c.f.
	1001 - 1500 c.f.	\$ 2.77 per hundred c.f.
	1501+ c.f.	\$ 2.84 per hundred c.f.

**Water Capital Improvement Fee \$2.50**

METER TEST FEE

Flow test deposit\* \$ 40.50

\* To be returned if meter registers more than 3% fast.



**RESOLUTION NO. 2020.14**

TURN-OFF FEE

Customer Requested Turn-off \$ 15.00

ACCOUNT DEPOSIT

New Accounts \$ 100.00

RESTORATION CHARGE

City Initiated Turn-off \$ 15.00

DELINQUENT ACCOUNTS

Late fee for Delinquent Notice \$ 7.50  
Charge for Notice of Shutoff \$ 10.00


RETURNED CHECK CHARGE


Each Check Returned by Bank \$ 45.00

**BE IT FURTHER RESOLVED**, that all prior Resolutions setting rates and fees authorized by Ordinance No. 534 and the Brownsville Municipal Code, Chapter 13.05, Article II. **Water Regulations** are hereby repealed.

This Resolution shall become effective July 1<sup>st</sup>, 2020 upon being passed and approved by the City Council.

***Passed and approved by the City Council this 23<sup>rd</sup> day of June, 2020.***

  
\_\_\_\_\_  
Mayor Don Ware

**Attest:**   
\_\_\_\_\_  
City Administrator S. Scott McDowell



**RESOLUTION NO. 2021.20**

**A RESOLUTION ADOPTING A 3% RATE INCREASE FOR FISCAL YEAR ‘21-’22 ND ADJUSTING OTHER FEES AS AUTHORIZED BY THE BROWNSVILLE MUNICIPAL CODE, CHAPTER 13.05, ARTICLE I. SEWER REGULATIONS (ORDINANCE NO. 489); AND REPEALING AND/OR SUPERCEDING ANY OTHER RESOLUTION IN CONFLICT HEREWITH.**

**WHEREAS**, Section 19 and Section 22 of Ordinance No. 489 of the City of Brownsville passed by the Council and approved by the Mayor on March 7, 1980, and amended by Ordinance No. 582, passed by the Council and approved by the Mayor on August 15, 1988, and the Brownsville Municipal Code, Chapter 13.05, Article I. **Sewer Regulations** authorizes charges and fees to be set by Resolution of the Council and reviewed annually,

**WHEREAS**, the City has undertaken major renovations to the sanitary treatment works and collection systems and,

**WHEREAS**, at the direction of financial advisors have set rates in accordance with projections of expenditures to retire debt incurred by said improvements to meet contact requirements with the State’s Infrastructure Finance Authority (IFA) formerly known as the Oregon Economic & Community Development Department (OECD) and refunded bonds completed in 2016. Rates must be maintained to meet debt obligations.

**BE IT RESOLVED** that the rates and fees will be as follows:

**SEWER SERVICE CHARGES**

The City of Brownsville in order to ensure sufficient revenue is generated to pay the total operational and maintenance costs for the proper operation and maintenance of the treatment works and that proportional distribution of operational and maintenance costs among users and user classes is maintained determines that sewer service charges against every property served by the City sewer system shall be based on water usage. An average winter usage will be determined for each customer and that customer will be charged accordingly. Any sewer customers not connected to City water will have the choice of either installing a meter on their well and paying according to that meter reading or paying the rate which falls under the 600-800 cubic feet in the sewer rate structure.

The monthly rates shall be as follows:

**In-City Sewer Charges:**

Average Usage	=	0 - 300 c.f.	\$ 37.88
		400 - 500 c.f.	\$ 44.55
		600 - 800 c.f.	\$ 48.13
		900 + c.f.	\$ 53.16
Sewer Only			\$ 48.13



**RESOLUTION NO. 2021.20**

<b>Out-of-City Sewer Charges</b>	\$ 57.52
Sewer Debt Service ( <i>Monthly Flat Rate Charge</i> )	\$ 15.00

APPLICATION, PERMIT & INSPECTION

The Sewer Service Connection Fee charged for connecting to the City Sewer System shall cover plan review, inspection and related administrative costs and shall be as follows:

Sewer Service Connection Fee	\$ 100.00
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RETURNED CHECK CHARGE

Each Check Returned by Bank	\$ 45.00
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**BE IT FURTHER RESOLVED** that all prior Resolutions setting rates and fees as authorized by Ordinance No. 489 and the Brownsville Municipal Code, Chapter 13.05, Article I. **Sewer Regulations** are hereby repealed.

This Resolution shall become effective July 1<sup>st</sup>, 2021.

***Passed and approved by the City Council on this 22<sup>nd</sup> of June, 2021.***

\_\_\_\_\_  
Mayor Don Ware

***Attest:***

\_\_\_\_\_  
City Administrator S. Scott McDowell



RESOLUTION NO. 2020.15

A RESOLUTION ADOPTING A 3% RATE INCREASE FOR FISCAL YEAR ‘20-‘21 AND ADJUSTING OTHER FEES AS AUTHORIZED BY THE BROWNSVILLE MUNICIPAL CODE, CHAPTER 13.05, ARTICLE I. SEWER REGULATIONS (ORDINANCE NO. 489); AND REPEALING AND/OR SUPERCEDING ANY OTHER RESOLUTION IN CONFLICT HEREWITH.

WHEREAS, Section 19 and Section 22 of Ordinance No. 489 of the City of Brownsville passed by the Council and approved by the Mayor on March 7, 1980, and amended by Ordinance No. 582, passed by the Council and approved by the Mayor on August 15, 1988, and the Brownsville Municipal Code, Chapter 13.05, Article I. Sewer Regulations authorizes charges and fees to be set by Resolution of the Council and reviewed annually,

WHEREAS, the City has undertaken major renovations to the sanitary treatment works and collection systems and,

WHEREAS, at the direction of financial advisors have set rates in accordance with projections of expenditures to retire debt incurred by said improvements to meet contact requirements with the State’s Infrastructure Finance Authority (IFA) formerly known as the Oregon Economic & Community Development Department (OECDD) and refunded bonds completed in 2016. Rates must be maintained to meet debt obligations.

BE IT RESOLVED that the rates and fees will be as follows:

SEWER SERVICE CHARGES

The City of Brownsville in order to ensure sufficient revenue is generated to pay the total operational and maintenance costs for the proper operation and maintenance of the treatment works and that proportional distribution of operational and maintenance costs among users and user classes is maintained determines that sewer service charges against every property served by the City sewer system shall be based on water usage. An average winter usage will be determined for each customer and that customer will be charged accordingly. Any sewer customers not connected to City water will have the choice of either installing a meter on their well and paying according to that meter reading or paying the rate which falls under the 600-800 cubic feet in the sewer rate structure.

The monthly rates shall be as follows:

In-City Sewer Charges:

Average Usage	=	0 - 300 c.f.	\$ 36.78
		400 - 500 c.f.	\$ 43.25
		600 - 800 c.f.	\$ 46.73
		900 + c.f.	\$ 51.61
Sewer Only			\$ 46.73



**RESOLUTION NO. 2020.15**

<b>Out-of-City Sewer Charges</b>	\$ 55.84
Sewer Debt Service ( <i>Monthly Flat Rate Charge</i> )	\$ 15.00

APPLICATION, PERMIT & INSPECTION

The Sewer Service Connection Fee charged for connecting to the City Sewer System shall cover plan review, inspection and related administrative costs and shall be as follows:

Sewer Service Connection Fee	\$ 100.00
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RETURNED CHECK CHARGE


Each Check Returned by Bank	\$ 45.00
-----------------------------	----------

**BE IT FURTHER RESOLVED** that all prior Resolutions setting rates and fees as authorized by Ordinance No. 489 and the Brownsville Municipal Code, Chapter 13.05, Article I. **Sewer Regulations** are hereby repealed.

This Resolution shall become effective July 1<sup>st</sup>, 2020.

***Passed and approved by the City Council on this 23<sup>rd</sup> of June, 2020.***

  
\_\_\_\_\_  
Mayor Don Ware

**Attest:**   
\_\_\_\_\_  
City Administrator S. Scott McDowell



A RESOLUTION AUTHORIZING TRANSFERS WITHIN CERTAIN FUNDS FOR THE FISCAL YEAR 2020-2021 BUDGET

WHEREAS, Council would like to maintain accurate expenditures for each and every fiscal year; and

WHEREAS, several line items are overspent annually depending on factors outside the control of Council and Staff; and

WHEREAS, moving funds from the contingency line items to the over spent line items will give a more accurate reflection of expenditures for each fiscal year; and

WHEREAS, funds were moved in accordance with Oregon Local Budget Law; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE, a Municipal Corporation of the State of Oregon, that that the following funds be transferred in the following accounts:

Table with columns: Transfer From, Transfer To, and amounts. Categories include Law, General Fund - Operations, Water - Administration, Sewer - Operations, Streets, and Transient Room Tax.

Total Amount of Transfers \$77,300.00

PASSED AND ADOPTED by the City Council of the City of Brownsville this 22nd day of June 2021.

Don Ware, Mayor

ATTEST:

S. Scott McDowell, City Administrator



**RESOLUTION No. 2021.22**

**RESOLUTION DECLARING AN ECONOMIC, MENTAL HEALTH, AND CRIMINAL ACTIVITY CRISIS DUE TO THE CURRENT COVID-RELATED STATE EMERGENCY DECLARATION AND RELATING OSHA MANDATES AND GUIDANCE**

**WHEREAS**, the Oregon Governor's Executive Order 20-03: Declaration of Emergency due to COVID-19, and all subsequent and related OSHA guidance, and present and future executive order extensions of such are arbitrary and excessive for small communities like Brownsville; and,

**WHEREAS**, we as a municipality have no legal authority to dismiss these mandates, guidelines, and enforcement by OR-OSHA, and therefore cannot protect any local business from State-directed targeting, repercussions, and penalties if such local business personally chooses to; and,

**WHEREAS** we also recognize that neither city, county nor state government has the legal authority to disregard the Oregon State or the United States Constitutions; and,

**WHEREAS**, we do believe our citizens are fully capable of making their private, individual healthcare decisions and living a lifestyle of their choosing; and,

**WHEREAS**, we recognize that COVID-19 is indeed a contagious virus and contagious viruses do exist in the world; and,

**WHEREAS**, science has shown over the last year that COVID-19 is largely survivable and continual lockdowns do not stop its spread; and,

**WHEREAS**, all initial models and projections used to justify initial state emergency mandates have been proven inaccurate over the past year; and,

**WHEREAS**, City of Brownsville has the right to adopt regulations designed to promote the public safety and general welfare of its citizenry; and,

**WHEREAS**, many of our local businesses directly attribute state lockdowns and OROSHA guidelines as solely responsible for their inability to earn a living or pursue other rights as outlined in our State and U.S. Constitutions, and therefore we believe their livelihood is being unconstitutionally and negatively impacted by government without due compensation; and,

**WHEREAS**, State agencies have been given arbitrary authority and used this authority to punitively fine businesses, thereby breaking the trust relationship essential to carrying out their functions; and,





**WHEREAS**, businesses in Brownsville are struggling to find employees because of the enhanced unemployment benefits and in many cases unemployment benefits pay more than what the employer can offer them; and,

**WHEREAS**, businesses are on the brink of permanent closure, creating a fiscal emergency and contributing to a devastating impact on our local economy; and,

**WHEREAS**, the Governor's lockdown and masking mandates are actively creating division and unrest as those of one opinion are encouraged by it to impose their opinions over the free will of those of another opinion; and,

**WHEREAS**, the pandemic has resulted in limitations in temporary holding cells, as well as a limited number of beds in our local County Jail; resulting in an ongoing "cite and release" system that puts criminals straight back on the streets to further victimize our community immediately after arrest or being freed from jail sentences by Governor Brown; and,

**WHEREAS**, the Governor's mandates result in pitting law enforcement against law-abiding citizens rather than criminals, which damages a community's strong relationship with valued law enforcement officers, and which is a dynamic no community should tolerate; and,

**WHEREAS**, the City of Brownsville being a small, rural community is vulnerable to criminal activity due to our location and our current law enforcement resources; and,

**WHEREAS**, deliberate isolation of the ill in hospitals or the elderly left to die alone of that isolation is the cruelest of abuses and is not to be accepted in any civilized society; and,

**WHEREAS**, it is a violation of the First Amendment of the United States Constitution for a government to limit how our churches and citizens choose to practice their religious freedoms, which are crucial to mental health; and,

**WHEREAS**, social distancing and prolonged isolation are proven to create a number of mental health issues such as anxiety and depression, which could result in pushing individuals over the edge toward suicide as a last resort; and,

**WHEREAS**, that same social distancing and prolonged isolation, combined with unemployment and other stressors, are increasing cases of drug and alcohol abuse, domestic abuse, and violence; and

**WHEREAS**, we believe in the kindness, compassion, and common sense of our citizens and businesses to help protect the most fragile and susceptible in our community; and,

**WHEREAS**, fear being used as a tool by our State government to manipulate, and control citizens which do not reflect the values of our citizenry or our society; and,



**WHEREAS**, John Adams stated, “But a constitution of government once changed from freedom can never be restored. Liberty, once lost, is lost Forever,” and,

**NOW, THEREFORE, BE IT RESOLVED** that we declare an economic, mental health, and crime crisis due to the current COVID-related State Emergency Declaration and related OR-OSHA mandates and guidance, as a means of loudly and symbolically supporting our citizenry; and,

**BE IT RESOLVED**, the City will communicate in writing with the Governor’s Office to encourage the full opening of our City or suggesting other means necessary to give our citizens relief from these mandates; and,

**BE IT RESOLVED**, the City will support upcoming legislation, dependent upon its straightforward and unharmed wording, which provides reparations to business owners who have had their businesses and income taken without compensation; and,

**BE IT RESOLVED**, the City will support future statewide ballot initiatives and legislation that limits the duration and extent of Governor’s emergency powers which may create similar lockdown scenarios during future emergencies, natural disasters, and pandemics; and,

**BE IT RESOLVED**, the City will share this resolution with other Oregon cities, counties, and media outlets in the hope those entities will also speak more loudly; and,

**BE IT RESOLVED** the City recognizes the citizenry of Brownsville are free, sovereign individuals with Constitutional Rights guaranteed by the Bill of Rights, not subjects, and will be recognized as such as we firmly stand to represent them.

**PASSED AND ADOPTED** by the Council of the City of Brownsville this 22<sup>nd</sup> day of June 2021.

***Attest:***

***Approved:***

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S. Scott McDowell  
City Administrator

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Don Ware  
Mayor



**2021-2022 Council Goals**  
**(Compilation Date: March 2021)**

**Goals 2021-2022**

1. Focus on the Fundamentals.

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

2. Water Rights.

- *Explore Possible Additional Water Source Options.*
- *Continually Work on Perfecting Water Rights.*
- *Complete Water Conservation Plan required by the State.*

3. Economic Development Plan.

- *Participate in Regional Efforts and Opportunities in Real-Time.*
- *Implement the Mid Valley Partnership Agreement.*
- *Finalize Economic Analysis, Land Inventory and Urban Growth Boundary.*

4. Community Development Plan.

- *Refine Brownsville Code Requirements & Public Works Standards.*
- *Adopt Building Rules and Standards to Preserve Historic Aesthetic.*
- *Emergency Preparedness Planning: Participate in Local and Regional Efforts to Expand Public Awareness and Readiness.*
- *Monitor Tort Limits, Recreational Immunity & Case Law impacting Local Amenities.*
- *Continue Promoting Youth Activities with Community Partners.*

5. Capital Improvements Plan.

- *Construct Downtown Wastewater Improvements.*
- *Plan for the GR 12 Waterline Extension.*
- *TMDL Review, Monitoring and Implementation Elements.*
- *Work toward Recreation Center Renovation & Construction of New Pavilion.*

6. Organizational Development.

- *Focus on Council Leadership Development & Training.*
- *Continue Positive and Effective Working Relationship between Council and Staff.*
- *Emphasis on Volunteer Training and Meeting Logistics & Procedures for All Boards & Committees.*

7. Advocacy Plan.

- *Develop a Standing Committee to develop an advocacy strategy, to write policy statements and stay abreast of legislative developments at the State & Federal level.*
- *Focus on Home Rule, the League of Oregon Cities, the Cascade West Council of Governments, and other regional efforts to strengthen the City's policy positions.*



## **Goals Progress Plan**

### **1. Focus on the Fundamentals.**

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

**Plan:** Council, the Budget Committee and Staff will continue working carefully with the annually adopted budget to ensure financial well-being and to complete the goals of the City. Staff will strive to provide services efficiently and effectively to maintain low costs. Staff will work to maintain the City's outstanding financial rating. Staff will execute the planned projects found in the FY 2020.2021 and FY 2021.2022 budgets, as time, priority and possible financial constraints allow.

Staff will continue to strive for excellence in all relational aspects locally and regionally. McDowell will continue his involvement with the Solid Waste Advisory Committee (SWAC), the Linn County Sheriff's Office (LCSO) Joint Cities Coalition, the Linn County Planning and Building Department meetings, City/County Insurance Services (CIS), International City Management Association (ICMA), Oregon City/County Management Association (OCCMA) and the League of Oregon Cities (LOC) as needed. Public Works Superintendent Frink works with various groups including 811. Administrative Assistant Elizabeth Coleman works with the Linn County Planning and Building Department and the Park Board.

Staff is also very involved at a local level. McDowell serves as a liaison to the Board of Directors for the Chamber of Commerce and attends other civic organization meetings as requested or required. Mayor Ware serves on the Central Linn Community Foundation and the Lions Club, among others. Councilor Thompson serves as the liaison to the Central Linn Recreation Association (CLRA). Mayor Ware serves on the Cascade West Council of Governments (COG) Board. Councilor Gerber serves on Cascade West Council of Government's Transportation Board. Councilor Humphreys will serve as the liaison to the Linn County Sheriff's Office (LCSO).

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★ Updates to be listed here.

### **2. Water Rights.**

- *Explore Possible Additional Water Source Options.*
- *Continually Work on Perfecting Water Rights.*
- *Complete Water Conservation Plan required by the State.*

**Plan:** Council recognizes water as the City's most valuable resource. The City will continue exploring additional resources such as procurement of upstream water rights and other possibilities that may exist areas around Brownsville. Staff will continue to work with City Engineer Ryan Quigley and City Attorney Rolfe Wyatt on issues as they arise through the State Legislature and other agencies of the State such as the Oregon Water Resources Department (OWRD). Staff will continually work on the Water Conservation Plan with Oregon Association of Water Utilities as hired in early 2021.

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★ Updates to be listed here.

### **3. Economic Development Plan.**



- *Participate in Regional Efforts and Opportunities in Real-Time.*
- *Implement the Mid Valley Partnership Agreement.*
- *Finalize Economic Analysis, Land Inventory and Urban Growth Boundary.*

**Plan:** Continue working with partners on regional economic development efforts.

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

The City will incorporate several new ideas from the Goal Setting session into the Land Inventory and Update.

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★ Updates to be listed here.

#### **4. Community Development Plan.**

- *Refine Brownsville Code Requirements & Public Works Standards.*
- *Adopt Building Rules and Standards to Preserve Historic Aesthetic.*
- *Emergency Preparedness Planning: Participate in Local and Regional Efforts to Expand Public Awareness and Readiness.*
- *Monitor Tort Limits, Recreational Immunity & Case Law impacting Local Amenities.*
- *Continue Promoting Youth Activities with Community Partners.*

**Plan:** Council would like to continue to explore ways to positively affect community livability. Council will explore building rules and standards to solidify the historic look and feel of Brownsville. The City continues working with ad hoc volunteer committee promoting community emergency preparedness efforts as defined by the Brownsville Municipal Code. Staff will work with the Brownsville Rural Fire District, Halsey-Shedd Rural Fire Protection District, the City of Halsey and the Central Linn School District to accomplish Council directives. Council will continue to explore options for the Central Linn Rec Center and the Pioneer Park Pavilion with various partners including the City of Halsey and the Central Linn School District. Council will continue to monitor attacks against recreational immunity through various sources such as the League of Oregon Cities (LOC) and CIS.

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★ Updates will be listed here.

#### **5. Capital Improvements Plan.**

- *Construct Downtown Wastewater Improvements.*
- *Plan for the GR 12 Waterline Extension.*
- *TMDL Review, Monitoring and Implementation Elements.*
- *Work toward Recreation Center Renovation & Construction of New Pavilion.*
- *Move forward with Canal Company plans.*

**Plan:** Staff will continue to execute engineering and manage the construction of the old, sewer lines in Old Town Commercial. Staff will prepare for the design and installation of the GR 12 waterline. Staff and Council will work as required to cautiously move forward with TMDL requirements. Staff will continue working with the Ad Hoc Committee assigned to looking into the renovation of the Central Linn Rec Center and the relocation of the Pioneer Picnic Pavilion.

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★ Update to be listed here.



## 6. Organizational Development.

- *Focus on Council Leadership Development & Training.*
- *Continue Positive and Effective Working Relationship between Council and Staff.*
- *Emphasis on Volunteer Training and Meeting Logistics & Procedures for All Boards & Committees.*

***Plan:*** Council recognizes the need for additional training & development. Council will continue to improve in two ways, 1) collectively through regular group discussions and evaluations, and 2) executing their individual roles as community leaders. Council will look at new ways to work together to accomplish shared organizational goals and address community issues with Staff. Council will work to ensure that all Boards and Committees are properly trained, and procedures are periodically reviewed. Council will take a more proactive role with volunteer support. Council will continue to check in with Staff and stay abreast of community happenings.

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- ★ Updates to be listed here.

## 7. Advocacy Plan.

- *Develop a Standing Committee to develop an advocacy strategy, to write policy statements and stay abreast of legislative developments at the State & Federal level.*
- *Focus on Home Rule, the League of Oregon Cities, the Cascade West Council of Governments, and other regional efforts to strengthen the City's policy positions.*

***Plan:*** Council recognizes the need for advocacy and would like to engage during the current legislative while exploring other ways to engage both regionally and locally. Actively working on protection of Home Rule, recreational immunity, keeping and supporting tort limits and monitoring other impositions by the State government into local affairs. Council may develop a local advocacy plan that would include, 1) specific legislative items being considered by the State of Oregon, 2) prepare policy statements on those items, and 3) form letter writing efforts to improve municipal authority as allowed by the Oregon Constitution.

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## 2021-2022 Council Values

### Council Vision Statement

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

### A Vision for Brownsville

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

### Tag line

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

### ***Who we are?***

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

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

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

### ***What do we want for Brownsville?***

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



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

### **Organizational Development**

1. *Elected & Appointed Officials.* People who understand their role and responsibilities for the City as policy & decision makers. People who have a tremendous amount of pride and caring about the future of Brownsville. People who understand the financial nuances of local government in Oregon. People who understand and respect the significant contributions of Staff. People who are focused on the greater good they can collectively make in the community. People who understand the mission of the City and who can explain City policy and issues with the general public. People who represent Brownsville citizenry as well as City Staff.
2. *Staff.* People who understand their multiple roles and responsibilities. People who love coming to work. People who are interested in creating the best possible work environment that is full of respect and compassion for the citizens and is honest and trusting among all the ranks of the organization. People who don't complain about what they cannot control but people who are interested in creating practical, cost-effective solutions for those issues they can control. People who expect more than the ordinary from themselves and from each other.
3. *Organizational Axiom.* Creating, developing and maintaining effective relationships with individuals, other civic organizations, County, State & Federal government personnel. Understanding that the number one priority of the City is relationship building. The City shall honor relationships and the ordinances and laws of the land. The City shall be ever mindful of the importance of the social contract of government and the order that it strives to preserve for the sake of freedom.
4. *Diversity, Equity, and Inclusion.* The City creates an environment of equal access to opportunities for all individuals in Brownsville. The City is committed to equal access through Federal and State laws, but also through local practice principled in the elimination of bias and barriers that may exist in the community and from developing in the City's organization. Council shall continue to consider implications of new and past policies that may create unnecessary barriers for members of minority groups, women, veterans and vulnerable populations.

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

#### **THE PROCESS OF PROGRESS**

1. Recognize & Identify
2. Accept & Agree





# 2021-2022 Council Values

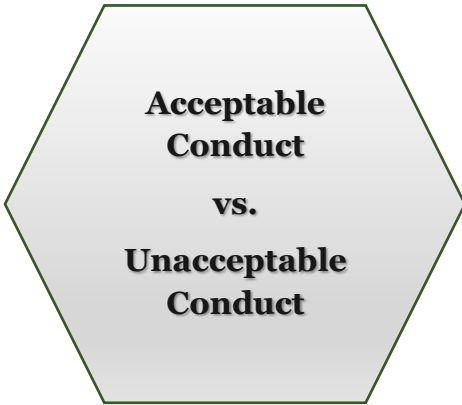
- 3. Strategize & Develop Action Steps
- 4. Implement & Execute
- 5. Review Outcomes

## LEXIPOL'S 10 FAMILIES OF RISK MODEL

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

### *How are expectations set in City Government?*

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



**City of Brownsville**  
**2021 Sewer Delinquent Accounts**

<b><u>Tax Account #</u></b>	<b><u>Name &amp; Address</u></b>	<b><u>Amount</u></b>
307849	Courtney Meadors 529 Robe St. Brownsville, OR 97327	687.62
	<b>TOTAL</b>	<b>\$687.62</b>

*Updated: June 17, 2021*

**Local Restaurants and Businesses | Covid-19 Impact**

I want to shed some light on the current health of our local citizen's, business's and how they are faring the lockdowns/mandates coming out of Salem. I have spoken with the majority of local restaurant and business owners in our city. The result of those conversations was highly informative, but alarming. All the restaurant owners shared the same concerns. Being restricted to to-go orders only, will not support the overhead of the month-to-month expenses to remain in business. These businesses were forced with the decision of taking out PPP and PPE loans in order to avoid closing their doors temporarily for some, but permanently for others. At 25% capacity the financial burden creates the same risk of closing to some of the same businesses. 1200 restaurants in Oregon have closed their doors for good in the past 63 weeks.

**The Data**

I requested and received the Covid data specific to Brownsville's area code of 97327 from the Linn County Health Dept., which reflects a population of 3,162 people per the 2019 census.

**COVID-19 Data for Zip Code 97327**

Date Range: January 1, 2020- May 22, 2021

Cases of COVID-19, Confirmed and Presumptive	112
Deaths	< 10, per 1,000
People vaccinated with at least 1 dose	1,184
People Vaccinated, per 100	35

The definition of presumptive;

pre-sump-tive

*adjective*

1. of the nature of a presumption, presumed in the absence of further information.

So, we are putting data into a case count for a "pandemic" that we are in the absence of information for?

Based on the number of cases recorded confirmed and presumptive, we have a 0.035% risk of being infected for this area. That is less than one quarter of one-half percent.

The data regarding contact tracing was unavailable due to the number of contacts being much smaller than the actual confirmed cases.

The data point was so small for deaths that Linn County Health would not provide this information, as they thought it would be violating a person's HIPPA rights. They expressed that the data point was so small, we might be able to pinpoint a case of death from the small population of 3162. The data point provided for deaths was <10 deaths per 1000 ppl. Why not

Councilor Adam R Craven

City of Brownsville

May 25, 2021

<1 per 100? Or more likely to die in a motor vehicle accident, which is an activity most of us willfully perform daily.

I was forced to use the mortality rate data for Linn County as a whole, which is as follows;

#### **Linn County Covid-19 Data**

Mortality Rate- .000563% or less risk than dying in a crosswalk crossing the street. This leads me to believe that the mortality rate for our zip code is even lower than .000563%, based on our infection rate being lower.

Infection Rate- .040% which is higher than that of our area specific data, but still less than one quarter of one half percent. Or more likely to die from Cancer, than even being infected in the first place.

I also requested the Mental Health Data for the past year as it relates to our area and was told that the data for Mental Health has not been gathered at this time for the prior year 2020. I feel this is a particularly important piece of information that is absent from the public's knowledge. 2020 was no doubt a year of unknowns, ups and downs, a grueling marathon we all had to endure. Transparency surrounding mental health data should have been a top priority, highlighted in yellow or at least an asterisk put next to it for some type of importance as to informing the public.

#### **Data Nationally and Globally**

United States; Mortality Rate- 0.0017% Infection risk-0.098%

Globally; Mortality Rate- 0.044% Infection risk- 0.021%

I find it interesting that the United States has zero interest in providing the data point reflecting how many people have recovered, after being infected as almost every other country provides.

Also, worth noting is that the Murder rate has increased in this country, during the lockdowns an unprecedented 36.7%, with violent crimes as a whole increasing between 25 and 40%, the largest increase for both categories on record, since recording began in the early 20<sup>th</sup> century.

#### **The Lockdown**

63 weeks of restrictions and mandates have provided zero suppression or change to infection rates or deaths in this state. We are 61 weeks past due for 2 weeks to flatten the curve.

Covid -19 is a virus that appears to not be seasonal but, like the flu will have variants. This is a virus, like the flu we will need to assess the risks of and learn to live our daily lives with.

**I have gathered the following information and dialogue from a KATU interview with Dr. Sidelinger who is the Oregon State Health Officer for Oregon Health Authority (OHA).**

**Councilor Adam R Craven**

**City of Brownsville**

**May 25, 2021**

Dr. Sidelinger addressed if asking for a person's vaccination status is a HIPPA violation. He says if a person voluntarily discloses their vaccination status, that is okay. Dr. Sidelinger said "For an individual who voluntarily declares either as a customer coming into a business or an employee that they are vaccinated and do not want to wear a mask and then show the vaccination status that is not a violation of HIPPA,"

So, what about someone who is dishonest about getting vaccinated? Many question if that would put others at risk. Health officials say that if someone chooses to lie about their vaccination status, they wouldn't necessarily be putting the vaccinated population at risk but be putting themselves at risk.

So, I am sorry would it not be my civil liberty to assess the risk of an activity and make that decision myself without being labeled as a liar or dishonest, such as the following: sky diving, mountain climbing, riding a dirt bike, riding a horse, rafting a river and many others that present known risks to health and life. I am free to make all those decisions myself meanwhile not putting anyone else's life or health at risk.

### **Opinion**

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In my opinion the Emergency Response to Covid-19 by Oregon's governor, IS politically motivated and weaponized, which is evident by the lifting of mask requirements unsupported by Oregon's metric of risk. I do not feel that the data specific to our area supports the extreme measures blanketing our county, our city, shutting down our businesses, stomping on our human rights and ruining people's lives. The cure is worse than the problem itself.

I am suggesting that this elected body start advocating for our constituents who are no doubt struggling and nearing an emergency state regarding their personal well-being, mental health, life safety and ability to earn a living. I am also suggesting we look at drafting a resolution on par with other rural cities such as Baker City, Harrisburg, Scio and many others in progress to fight for the individual civil liberties of each person, ingrained in the United States Constitution, which every person as a member of this Council took an oath to uphold.

I have lived in this community for 37 years, every one of you are my neighbors. I am committed to fight for each and every citizen of this communities right to assess the risks, making the decisions for themselves that keep them healthy, physically, mentally, socially and financially.

### **The Ask**

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What I am curious to understand is, which members of this Council would be interested in holding a Town Hall with the local business's owners, allowing everyone in this body to fully understand each business' unique situation. Also, due to the lack of information provided by the county regarding mental health, I believe this would be a good opportunity to provide a platform for school aged parents to express the mental well being of their families as they are a group that has no doubt been hit the hardest mentally.

**Councilor Adam R Craven**

**City of Brownsville**

**May 25, 2021**

We as elected members of City Council of The City of Brownsville, Oregon need to perform the duties, we all took an oath of office to uphold and were elected to do.

Thank you all!



## **LOCAL DECLARATION OF EMERGENCY FOR THE CITY OF BROWNSVILLE**

March 23<sup>rd</sup>, 2020

**WHEREAS**, the City of Brownsville has the authority granted under Oregon Revised Statutes Chapter 401, that provides direction to the City, its officials, and others in the event of an emergency; and

**WHEREAS**, the following conditions have resulted in the need for the declaration of a state of emergency: Multiple cases of COVID-19 have been detected in Linn County, and the Linn County Board of Commissioners has declared a state of emergency relating to COVID-19 in Linn County, Oregon; and The Governor of the State of Oregon has declared a state of emergency relating to COVID-19 in the State of Oregon; and The President of the United States has declared a state of emergency relating to COVID-19 in the United States; and

**WHEREAS**, the foregoing circumstances constitute a threat of imminent widespread illness, human suffering, loss of life, and financial loss, which in the determination of the Mayor will cause such significant damage as to warrant disaster assistance from resources other than the City's to supplement the efforts and available City resources to alleviate the damage, loss, hardship or suffering caused; and

**WHEREAS**, the foregoing circumstances require a coordinated response beyond that which occurs routinely, and the required response cannot be achieved solely with the added resources acquired through mutual aid or cooperative assistance agreements; and

**WHEREAS**, the foregoing circumstances affects all territory within the City limits; and

**WHEREAS**, the foregoing circumstances are anticipated to remain in effect until the Governor, or the Linn County Commissioners relieve either emergency declaration, or other unknown, future provisions that may allow for this emergency declaration to be lifted;

**NOW, THEREFORE IT IS DECLARED THAT A STATE OF EMERGENCY NOW EXISTS IN THE CITY OF BROWNSVILLE, ENCOMPASSING ALL OF THE AREA WITHIN THE CITY LIMITS;** and,

**IT IS FURTHER DECLARED** that the City and its officials shall be authorized to take such actions and issue such orders as are determined to be necessary to protect the public and property and efficiently conduct activities that minimize or mitigate the effect of the emergency; and

**IT IS FURTHER DECLARED** that the City shall take all necessary steps authorized by law to coordinate response and recovery from this emergency, including but not limited to, requesting assistance and potential reimbursements from the State of Oregon and appropriate Federal agencies; and



**IT IS FURTHER DECLARED** that emergency procurements of goods and services are authorized pursuant to ORS 279B.080, ORS 279C.335(6), ORS 279.380(4), and all other applicable rules.

**IT IS FURTHER DECLARED** that public meetings shall be conducted by electronic means in order to meet statutory requirements that have not been waived by the State of Oregon including but not limited to the City Council, the Planning Commission, the Budget Committee, the Library Advisory Board and the Parks & Open Space Advisory Board. The public shall have access to these meetings electronically via social media, internet, telephonically or otherwise. It shall be the public's responsibility to let the City know of their interest to listen in on the meeting via email or by telephone during business hours as posted on:

**<https://www.ci.brownsville.or.us/citycouncil> or <https://www.ci.brownsville.or.us/>**

All parties to the public meeting will have to download Google Chrome Browser in order to participate. All parties shall hold the City harmless from any, and all claims that may arise out of such download and use. The public shall follow the requirements posted by the City; it shall be each individual's sole responsibility to gain access to the electronic meeting as directed.

**THIS DECLARATION IS EFFECTIVE MARCH 23, 2020 AT 1:00 PM AND SHALL REMAIN IN EFFECT UNDER THE CONDITIONS SET FORTH ABOVE, UNLESS SUPERCEDED SOONER.**

A handwritten signature in blue ink, appearing to read "Don Ware", with a long horizontal line extending to the right.

Don Ware  
Mayor



June XX, 2021

Governor Kate Brown  
State of Oregon  
900 Court Street Suite 254  
Salem, OR 97301-4047

Dear Governor Kate Brown:

We are writing on behalf of our community members who have suffered through the coronavirus pandemic for the past year. Our small businesses have been forced to weather this monumental obstacle with very little assistance from the state or federal government. Regardless, our community has adapted a great deal to business and life with ever changing restrictions, closures, and uncertainty.

Our business owners do not have the capital to survive multiple, long periods of shutdowns that keep their doors closed to their valuable customers. While some have been able to take advantage of the small amounts of local, state and federal assistance, it is not nearly enough to survive and keep workers employed. Many of our citizens are turning to state assistance or being forced to travel to find work.

At the same time, large corporations thrived to unprecedented levels as people turned to online and 'big box' retailers that were guaranteed to be open. In 2020, Amazon reported record revenues of over \$386 billion, and Walmart reported an astonishing \$548 billion in revenue. These numbers were made possible by shutdowns across the country that took those dollars away from local business and services. Once again, large corporations' benefit at the expense of small business owners.

We understand the need to act quickly to implement measures that will keep as many Oregonians safe as possible and potential risks that must be weighed in this extraordinary situation. However, we also feel that those measures should be regularly updated with input from all Oregon communities, using sound scientific data, local medical capacity information, the needs and desires of the local community, and a reasonable level of common sense.

We do not feel our community is being heard by our state leadership. We are asking for a seat at the table, a voice for our citizens, and an opportunity to provide input to restrictions that have a profound effect on our rural community. We would welcome an opportunity to speak about how we might help open our businesses and maintain a reasonable safety standard for our citizens.

We appreciate your consideration of our concerns and look forward to your reply.

Sincerely,

City Council

**S. Scott McDowell**

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**From:** Kirt Glenn <kirtmglenn@gmail.com>  
**Sent:** Tuesday, June 8, 2021 3:13 PM  
**To:** admin@ci.brownsville.or.us  
**Subject:** City invitation

Hello Scott,  
Thank you for the invitation to the town hall meeting. I appreciate the city being mindful of the local businesses.

Unfortunately, I am out of town on that date.

The Coronavirus lockdown shut my office down for 2 months. I had to lay off 4 full time employees except for 1. Fortunately I've been able to hire them all back.

We have survived on EIDL and PPP loans. We are finally getting back to almost a full schedule but are operating at about 80% currently. A lot patients are still hesitant to come in.

How can the city help? I would say fight the fear that has been created around the virus. I know about how much harm it can do but in Brownsville our numbers are so low that the risk of exposure is extremely low. Encourage people to get out and support local businesses.

Thanks again for reaching out,  
Kirt Glenn

P.S. I would still like to talk about city water fluoridation.

**S. Scott McDowell**

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**From:** MEANS Sarah \* GOV <Sarah.Means@oregon.gov>  
**Sent:** Friday, June 4, 2021 3:21 PM  
**To:** Sarah.Means@state.or.us  
**Subject:** FW: NEWS RELEASE: Governor Kate Brown Announces Steps to Lift COVID-19 Restrictions, Fully Reopen Oregon Economy

Governor Kate Brown's Press Office

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[View it in your browser.](#)



STATE OF OREGON  
Office of the Governor  
**KATE BROWN**

**NEWS RELEASE**

**June 4, 2021**

**Media Contact:**

[Charles Boyle](#), 503-931-7773

**Governor Kate Brown Announces Steps to Lift COVID-19 Restrictions, Fully Reopen Oregon Economy**

*When Oregon reaches 70% first dose vaccination rate for adults, most county and individual health and safety restrictions will lift*

(Salem, OR) — Governor Kate Brown today announced the steps the state will take to lift COVID-19 health and safety restrictions and fully reopen the economy after 70% of all Oregonians 18 and older have received a first dose of a COVID-19 vaccine.

Because vaccines are very effective at protecting against COVID-19, after reaching the 70% threshold, Oregon will lift most state restrictions and move away from a state-led emergency COVID-19 response effort, shifting focus to pandemic recovery and supporting local public

health and health care providers with resources.

As of June 3, Oregon had achieved a 66.2% vaccination rate for individuals 18 and older, with 127,308 more people needing to receive a first dose to reach 70%.

“I want to be very clear that we are able to reopen like this because of the efficacy of the vaccines. For those of you who are vaccinated, you’ve helped us reach this point — and you are protected from this virus,” said Governor Brown. “However, there are still Oregonians who need to take extra precautions to feel and stay safe. People battling cancer and immunocompromised Oregonians, to name a couple. There are also many Oregon kids who are not yet eligible for a vaccine.

“So, it will remain incredibly important for Oregonians to continue making smart choices. And, to respect the choices of others. Let’s respect one another as we prepare to make this transition.

“This has really become a tale of two pandemics. If you are vaccinated, then you’re safe, you can carry on safely without wearing a mask and social distancing.

“If you are not vaccinated, this virus still poses a very real threat.”

After reaching the 70% threshold, Oregon will take the following steps to lift restrictions:

- Oregon’s Risk Level framework, including all county-based metrics and health and safety restrictions, will be lifted. This includes mask, physical distancing, and capacity limit requirements.
- The state will not require masks and face coverings in almost all settings, with some exceptions following federal guidance, including airports, public transit, and health care settings.
- Because the same mask and social distancing rules will apply for all individuals—vaccinated or unvaccinated—vaccine verification will not be necessary.
- It will still be strongly recommended that unvaccinated individuals and other vulnerable individuals continue to wear masks and practice other health and safety measures to stay safe from COVID-19.

Recognizing that COVID-19 will still be present in our communities and that many Oregonians remain unvaccinated, the Oregon Health Authority (OHA) will have an ongoing leadership role working with local public health partners in pandemic response and recovery:

- OHA will continue to monitor the global pandemic and provide assistance and resources to local public health and health care providers as needed—including establishing protocols to test, trace, and control the spread of COVID-19 in the same capacity as they have for other infectious diseases and worldwide outbreaks (such as SARS and Ebola).
- OHA will continue to serve in a monitoring and advisory role, working with local public health partners on continuing vaccination efforts, pandemic response, and recovery.
- OHA’s health and safety guidance for businesses, venues, faith organizations, and other sectors will be lifted. Oregon OSHA will review their workplace rules and

update them based on the lifting of the Risk Level framework and OHA requirements.

- Oregon will continue to devote statewide resources to pandemic response and recovery, but the state will lift most current health and safety restrictions on individuals and businesses.

Children younger than 12 are still not eligible to be vaccinated. Some specific health and safety measures will remain in place for schools and child care:

- Because many children are still not eligible for vaccination and remain vulnerable to COVID-19, local schools will be guided by health and safety guidance as students resume a normal school year in the fall.
- Students will attend school full-time, five days per week. K-12 guidance is being revised to support schools in safely delivering in-person instruction throughout the school day.
- For the same reasons, some health and safety standards for child care providers and youth programs will remain in place.
- Recently revised workplace standards, including indoor mask requirements for unvaccinated employees, remain in place for schools and child care settings.
- For colleges and universities, where students are eligible for vaccination, individual institutions will make decisions about health and safety protocols for the coming year, after considering forthcoming CDC guidance.

Governor Brown made the announcement today in a press conference with OHA Director Patrick Allen, state epidemiologist Dr. Dean Sidelinger, and Dr. Louis D'Avignon, a member of her Medical Advisory Panel.

#### **Additional Materials**

- A copy of the Governor's prepared remarks from today's press conference is available [here](#).
- More information on vaccines is available at [covidvaccine.oregon.gov](https://covidvaccine.oregon.gov).

#### **Video Links**

- A recording of today's live-streamed press conference is available on [YouTube](#). Please note the video starts at the 33:27 mark.
- A recording of a Spanish language translation is available on [OHA's Facebook page](#).
- An HD recording of today's press conference for members of the media is available on [Vimeo](#).

###



[www.ci.brownsville.or.us](http://www.ci.brownsville.or.us)

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

June 14<sup>th</sup>, 2021

**CWEDD Cascades West Community and Economic Development**

**Attn:** Ann Whittington  
1400 Queen Avenue SE, Suite 205  
Albany, OR 97322

**Re:** OCWCOG CARES Resiliency/Recovery Technical Assistance & Capacity Building Funds Application

Dear Ms. Whittington,

I am writing you in support of the Mid-Valley Partnership's OCWCOG CARES Resiliency/Recovery Technical Assistance & Capacity Building Funds grant application.

Several years ago, the cities of Philomath, Monroe, Halsey, Harrisburg, Adair Village, Brownsville, Sweet Home, and Lebanon recognized the need for rural communities to work together to address economic development opportunities as a region. The collaborative's first success was receiving the Rural Opportunities Initiative grant in 2017, which brought RAIN into our communities.

Continuing with the collaboration, in 2019, we created the Mid-Valley Partnership (MVP) Economic Strategy and Action Plan ("Plan") and signed an Intergovernmental Agreement to solidify the partnership and implement the Plan. The pandemic understandably slowed our progress and added new economic development challenges.

This grant will allow the MVP to reengage and start the implementation of the Action Plan, which parallels many of the priorities of the Comprehensive Economic Development Strategies, with a specific focus on Rural Vitality (priority area 5). Specifically, the grant would assist the MVP to enhance economic opportunities in rural areas with developing a resource center for local businesses and businesses interested in locating in the region, identifying marketing opportunities to promote the rural communities, and further establish the MVP to expand opportunities for further grants and funding assistance to expand our capacity to further assist the business community.

This work is important – to Brownsville and to our neighboring cities. It can help to level the playing field for rural businesses and build resilience so we can better weather future economic troubles.

Thank you,

A handwritten signature in blue ink that reads "Don Ware". The signature is fluid and cursive, with a long horizontal line extending to the right.

Mayor Don Ware

**S. Scott McDowell**

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**From:** warren.tributetofallensoldiers.com  
**Sent:** Thursday, June 17, 2021 10:52 AM  
**To:** clerk@ci.brownsville.or.us; S. Scott McDowell; assistant@ci.brownsville.or.us  
**Subject:** 12th Annual Tribute to Fallen Soldiers Memorial Torch Motorcycle Ride - July 10 Visit

**12TH ANNUAL  
TRIBUTE TO FALLEN SOLDIERS  
MEMORIAL TORCH MOTORCYCLE RIDE**

**A Run to Arlington National Cemetery  
July 10 - August 8, 2021**

**FALLEN SOLDIERS MEMORIAL FLAME  
SCHEDULED TO VISIT BROWNSVILLE, OREGON**

Mr. Scott McDowell  
City Administrator  
Brownsville, OR.

Dear Scott

I hope my email finds you well.

I wanted to send a 'reminder' email to you and the staff there regarding next months **12th Annual Tribute to Fallen Soldiers Memorial Torch Motorcycle Ride** which is scheduled for **July 10 - August 8, 2021.**

As you know, this is our annual ( cross-country ) motorcycle ride in which we escort the **Fallen Soldiers Memorial Flame** from Eugene, Oregon to Arlington National Cemetery in Washington DC to honor and pay tribute to America's fallen service members. ( See Below )





As the ride procession makes its way across the United States, we make scheduled visits to the homes of these fallen heroes. These scheduled visits are what we refer to as Fallen Soldier Home Visits.

As each home visit we make, we present the surviving family members with our 'Memorial Plaque of Distinguished Service' to graciously acknowledge the service member's sacrifice and to remind each family their fallen hero hasn't been forgotten.

The ride culminates on Sunday, August 8th when the ride procession escorts the Fallen Soldiers Memorial Flame inside the hallowed grounds of Arlington National Cemetery to formally extinguish the Memorial Flame in memory of all fallen service members. We've also been asked once again to lay a wreath at the 'Tomb of the Unknown Soldier' to honor all Gold Star families.

This year, the ride will be honoring a total of ( 75 ) fallen service members including **U.S Capitol Police Officer Brian Sicknick**,...and **Army Major Joeseeph R. 'Beau' Biden**.

On **SATURDAY, JULY 10TH**, which is our opening day of this 28-day ride, we've scheduled a Fallen Soldier Home Visit with the Moothart family of Brownsville to honor their son **ARMY SGT TRAVIS MOOTHART** who was killed in action on January 27, 2004.



The Moothart family would like to have their ( 60 minute ) Fallen Soldier Visit in the **Brownsville Park** at, or near, the Main Stage so additional family, neighbors, and friends can attend.

The arrival time for the ride procession is scheduled for; **12:15 PM**

The Honor Ceremony will be finished at; **1:15 PM**

The ride procession will be escorted by law enforcement from a couple of local jurisdictions. There should also be media attending to cover our arrival and the ceremony itself.

With the ride less than four weeks away, I wanted to once again make sure the community and your office is aware of our arrival. I'm hopeful during that time of day the stage area is available.

We'd also like the community of Brownsville to come out to attend this ceremony and support our home family.

If you have any thoughts or questions, please let me know.

Sincerely,

Warren Williamson  
Executive Director  
Tribute to Fallen Soldiers  
A 501(c)(3) Non-profit Organization  
Web; [TributetoFallenSoldiers.com](http://TributetoFallenSoldiers.com)



## S. Scott McDowell

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**From:** WINGARD Patrick \* DLCD <Patrick.WINGARD@dlcd.oregon.gov>  
**Sent:** Wednesday, June 16, 2021 11:49 AM  
**To:** WINGARD Patrick \* DLCD  
**Subject:** House Bill 3155 passes; impacts to housing planning for cities; I have a new email address

Good morning planning directors and city managers in the southern Willamette Valley and northeast Oregon regions,

I have a new email address! My old one will work through the end of 2021, but it'd be great if you could update your records to: [patrick.wingard@dlcd.oregon.gov](mailto:patrick.wingard@dlcd.oregon.gov) Thanks!

The DLCD Housing Team asked me to pass on the following information on to you regarding recent passage of House Bill 3155.

### House Bill 3155

The Oregon Legislature has recently adopted [House Bill 3155](#), a bill intended to clarify key provisions of House Bill 2003, passed in the 2019 legislative session. This message is intended to provide a brief description of the bill and what local jurisdictions can expect now that it is law.

The bill has three major components:

1. It clarifies and reaffirms that cities greater than 10,000 in the Portland Metro have a responsibility to complete a housing capacity analysis (HCA – often referred to as a “housing needs analysis”) on a regular six-year schedule as well as a housing production strategy (HPS) one year after the HCA deadline. To learn more about these requirements, please visit the [Housing Needs and Production page](#) on the DLCD website.
2. It explicitly enables cities below 10,000 population to optionally develop a housing production strategy, as provided in ORS 197.290.
3. It clarifies that if a city below 10,000 population conducts a housing capacity analysis, they are subject to the same statutory requirements applicable to cities below 25,000 population outside of the Portland Metro - ORS 197.296(10).

This has implications for two types of cities:

1. **Cities above 10,000 within the Portland Metro** must periodically conduct housing capacity analyses and housing production strategies on a regular six year schedule. The HCA schedule is described in [OAR 660-046-0045](#), and the housing production strategy is due one year after the HCA deadline. DLCD is currently working on a way to track future deadlines as cities adopt updated housing capacity analyses
2. **Cities below 10,000 statewide** may conduct both housing capacity analyses and housing production strategies and are now eligible for planning assistance funding. If a city elects to conduct such analyses, they must meet the same applicable statutes and administrative rules that apply to larger cities.

If you have further questions on this bill or its implications for your community, please let me know or reach out to the Housing Team at [housing.dlcd@dlcd.oregon.gov](mailto:housing.dlcd@dlcd.oregon.gov). We'll get back to you promptly.

All the best,

Patrick



### Patrick Wingard

Regional Representative for the Southern Willamette Valley  
 and Union, Baker, and Wallowa counties  
 Mid-Valley and South Valley/Mid-Coast Regional Solutions  
 Cell: 541-393-7675 | Main: 503-373-0050

[patrick.wingard@dlcd.oregon.gov](mailto:patrick.wingard@dlcd.oregon.gov) | [www.oregon.gov/LCD](http://www.oregon.gov/LCD)

*\*Note, I have a new email address. Please update your records. Thanks!*



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## LOC News

### DEQ Releases Partial Draft Rules on Climate Protection Program

In advance of its May 25 Greenhouse Gas Rulemaking Advisory Committee (GHG RAC) meeting, the Oregon Department of Environmental Quality (DEQ) published Version 1 of its draft rules relating to the new Climate Protection Program (CPP). The CPP would carry out Governor Brown’s Executive Order 20-04, which includes directives to reduce greenhouse gas (GHG) emissions and address the effects of climate change. The objectives of the rulemaking are to:

- Establish a new program to set limits on greenhouse gas emissions from significant sources in Oregon, including large stationary sources, transportation fuels, and other liquid and gaseous fuels;
- Define regulatory applicability and program requirements; and
- Prioritize equity by promoting benefits and alleviating burdens for environmental justice and impacted communities.

#### Key Highlights of Version 1 of the Draft Rules

##### Covered Emissions

The CPP would cover anthropogenic GHG emissions from combustion of liquid fuels, propane, natural gas, and industrial processes. Emissions from the following would not be covered under the CPP: landfills, biofuels, fuels for aviation, natural gas delivered to a large electricity generating facilities, natural gas compressor stations, or any fugitive emissions.

##### Covered Entities

The draft rules would apply to:

- Non-natural gas entities that produce, import, sell, or distribute liquid fuels or propane in Oregon that result in GHG emissions when combusted are  $\geq 200,000$  MTCO<sub>2</sub>e;
- Natural gas utilities that produce, import, sell, or distribute natural gas in Oregon that result in GHG emissions when combusted; and
- Stationary sources (typically factories and industrial plants) with covered emissions that are  $\geq 25,000$  MTCO<sub>2</sub>e.

##### Compliance Mechanisms

(mailto:  
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of  
Oregon  
Cities  
:  
DEQ  
Release  
Partial  
Draft  
Rules  
on  
Climate  
Protect  
Program  
https://  
draft-  
rules-  
climate  
protect  
program  
id=bulletin-28-21)

The draft rules would require covered fuel supplier entities to comply with the cap set forth in the CPP. However, stationary sources would be subject to best available emissions reduction provisions of the CPP. Note: the DEQ is still in the process of creating more provisions related to stationary sources.

Under the draft rules, covered entities would be allotted compliance instruments that they would be allowed to use to meet the cap or trade with other covered entities. Each compliance instrument can be used to fulfill a compliance obligation equivalent to up to one metric ton of CO<sub>2</sub> emissions.

The greenhouse gas rulemaking committee has been meeting since January and intends to wrap up its work in July. Following the rulemaking process, the DEQ plans to have an open comment period on the final version of proposed rules from August to October. The DEQ expects the Environmental Quality Commission to consider the proposed rules in December.

**Read the version 1 of the draft rules** [↗](#)

**Information on the GHG RAC** (<https://www.oregon.gov/deq/Regulations/rulemaking/Pages/rghgcr2021.aspx>)

**Contact:** Jenna Jones, Legislative Analyst – [jjones@orcities.org](mailto:jjones@orcities.org) (<mailto:jjones@orcities.org>)

*Last Updated 5/28/21*

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 **503-588-6550 (tel:5035886550)**



# Oregon

Kate Brown, Governor

Department of Environmental Quality  
Western Region Salem Office  
4026 Fairview Industrial Dr SE  
Salem, OR 97302  
(503) 378-8240  
FAX (503) 373-7944  
TTY 711

June 1, 2021

Mr. Shane Sanderson  
Linn County Environmental Health Department  
PO Box 100  
Albany, OR 97321

Dear Mr. Sanderson:

On the back of this letter is the 2019 DEQ Material Recovery and Waste Generation Summary for your watershed. This report is derived from the 2019 Material Recovery Survey, which is required under Oregon Revised Statute 459A.010. This statute also incorporates your watershed's recovery rate goals set for 2025. Your watershed should be proud of the efforts your recovery rate represents.

The Material Recovery and Waste Generation Summary includes your watershed's 2019 recovery rate, the amounts of materials disposed and recovered, per capita disposal, recovery and generation rates, and a chart comparing this year's results with previous survey years. The full 2019 Oregon Material Recovery and Waste Generation Rates Report will be available on the DEQ Web site at [www.oregon.gov/deq/recycling/Pages/Survey.aspx](http://www.oregon.gov/deq/recycling/Pages/Survey.aspx) by June 7, 2021.

DEQ Materials Management staff will be happy to work with your watershed to assist in improving data collection and waste reduction efforts. For assistance with your waste recovery and prevention efforts, please call Cathie Rhoades at 503-378-5089. If you would like more information about data collection or the material recovery survey, please call Michelle Shepperd at 503-229-6724, or toll free in Oregon at 1-800-452-4011 x6724.

Sincerely,

Brian Fuller, Manager  
Materials Management  
Western Region

Attachment: 2019 Recycling Collector Data Summary – Linn

CC: City Managers of Albany, Lebanon, Sweet Home  
Garbage Collection Companies, Linn





## 2019 DEQ Material Recovery and Waste Generation Summary LINN COUNTY

**CALCULATED RECOVERY RATE: 42.2%**

**GOAL (2025): 45%**

In 2019, Linn disposed of 110,453 tons of waste and recovered 80,787 tons of waste.

Year	1996	2006	2009	2014	2015	2016	2017	2018	2019
Calculated	32.3%	40.5%	40.5%	42.4%	39.3%	38.2%	36.9%	36.9%	<b>42.2%</b>
Credits*	-	6.0%	6.0%	6.0%	6.0%	-	-	-	-
Total	32.3%	46.5%	46.5%	48.4%	45.3%	38.2%	36.9%	36.9%	<b>42.2%</b>

\*Credits were only available between the years of 1997 and 2015

### Per capita waste disposal for wasteshed (pounds per person):

The average per-capita waste disposed in Oregon during 2019 was 1,569 pounds. Linn's per-capita waste disposal was 1,636 pounds. As shown in the following table, per-capita waste disposal in Linn has *increased 27%* since 2014 (five year change) and *increased 17%* since 2009 (ten year change).

### Per capita waste recovery for wasteshed (pounds per person):

The average per-capita waste recovered in Oregon during 2019 was 1,135 pounds. Linn's per-capita waste recovery was 1,197 pounds. As shown in the following table, per-capita waste recovery in Linn has *increased 26%* since 2014 (five year change) and *increased 26%* since 2009 (ten year change).

### Per capita waste generation for wasteshed (pounds per person):

Waste generation is the sum of disposal and recovery. It is a rough measure of the total discards in a wasteshed. In 2001, the Oregon Legislature established waste generation goals for the State; revised by the Legislature in 2015. The waste generation goals require that the generation of solid waste in the years 2025 to 2049 shall be 15 percent below the amount of solid waste generated in 2012, and for 2050 and beyond, the generation goal is 40 percent less than the waste generated in 2012.

The average per-capita waste generation in Oregon during 2019 was 2,703 pounds. Linn's per-capita waste generation was 2,833 pounds. As shown in the following table, per-capita waste generation in Linn has *increased 27%* since 2014 (five year change) and *increased 21%* since 2009 (ten year change).

Year	1996	2006	2009	2014	2015	2016	2017	2018	2019
PER-CAPITA DISPOSED*	1,328	1,551	1,397	1,289	1,431	1,496	1,618	1,653	<b>1,636</b>
PER-CAPITA RECOVERED*	634	1,057	950	947	926	923	947	1,113	<b>1,197</b>
PER-CAPITA GENERATED*	1,962	2,608	2,347	2,235	2,358	2,420	2,565	2,767	<b>2,833</b>

\*Pounds per person per year.

### Regional Technical Assistant Contact:

Contact Cathie Rhoades at 503-378-5089 for assistance in identifying ways to help reduce waste generation and disposal through waste prevention, reuse, recycling, and composting.

### Survey Coordinator:

Contact Michelle Shepperd by email, [michelle.shepperd@deq.state.or.us](mailto:michelle.shepperd@deq.state.or.us), or in Portland at 503-229-6724, or toll free in Oregon at 1-800-452-4011 x6724, for more information on the survey.

NOTE: DEQ routinely updates recovery rates for prior years as we receive new information. These are the current corrected figures for all years.

<b>FINAL Recovered Materials, Last Three Years</b>				
<b>Wasteshed:</b>	<b>Linn</b>			
<b>Material</b>	<b>Tons2017</b>	<b>Tons2018</b>	<b>Tons2019</b>	<b>Comments</b>
Aluminum	869.716	1,049.576	1,106.766	
Animal Waste/grease	252.485	408.247	336.753	
Antifreeze	57.257	63.674	54.022	
Cardboard/Kraft	23,085.867	35,223.905	40,409.801	
Composite Plastic	14.500	3.000	-	
Electronics	394.751	297.389	246.562	
Fluorescent Lamps	2.199	5.931	4.834	
Food Waste	132.679	532.582	739.690	
Glass Containers	2,245.781	2,378.384	2,096.980	
Gypsum Wallboard	8.000	10.000	6.000	
Household Haz Waste	-	0.002	-	
Lead Acid Batteries	285.886	187.644	188.600	
Mercury	0.016	0.013	0.034	
Mixed Batteries	0.586	2.191	1.586	
Paint	112.047	122.180	91.131	
Paper Fiber	6,519.552	5,890.512	5,672.974	
Plastic Film	586.676	696.143	550.740	
Plastic Other	790.255	636.409	290.621	
Rigid Plastic Cont.	1,120.490	1,026.460	973.509	
Roofing - Asphalt	12.500	10.500	3.500	
Scrap Metal - Other	9,729.364	9,632.056	11,524.677	
Solvents	6.460	5.440	8.790	
Textiles	29.524	37.162	24.292	
Tinned Cans	308.843	224.961	235.178	
Tires	1,017.658	737.335	880.852	
Used Motor Oil	946.502	1,028.271	1,074.695	
Wood Waste	1,398.410	1,438.323	1,567.544	
Yard Debris	12,537.193	12,792.937	12,697.332	
<b>Total Recovery</b>	<b>62,465.197</b>	<b>74,441.227</b>	<b>80,787.463</b>	
<b>2019 Disposal</b>			<b>110,452.813</b>	
<b>2019 Calculated Rate</b>			<b>42.2%</b>	

## S. Scott McDowell

---

**From:** Vicki Wood  
**Sent:** Thursday, May 27, 2021 10:57 AM  
**To:** Testing Clientele  
**Subject:** Clearinghouse Note

I received this today.

Positive drug tests account for **81%** of the total violations reported in the Clearinghouse since January 6, 2020. As of May 1, 2021, marijuana has been detected in **over half of all drug tests** that have been filed in the Clearinghouse.

**It is important for all employees who perform safety-sensitive functions, including CDL drivers, to know:**

- The USDOT requires testing for marijuana and not CBD.
- The labeling of many CBD products may be misleading because the products could contain higher levels of tetrahydrocannabinol (THC) than what's stated on the product label.
- The USDOT's Drug and Alcohol Testing Regulation, 49 CFR [Part 40](#), does not authorize the use of Schedule I drugs, including marijuana, for any reason.
- **CBD use is not a legitimate medical explanation for a laboratory-confirmed marijuana positive result.** Therefore, Medical Review Officers will verify a drug test confirmed at the appropriate cutoffs as positive, **even if an employee claims they only used a CBD product.**
- Since the use of CBD products could lead to a positive drug test result, USDOT-regulated CDL drivers should **exercise caution when considering whether to use CBD products.**

Read the USDOT's "CBD Notice" in full on the [USDOT website](#).

Also, I have discovered that there are a few of our companies that didn't get their notification for the first quarter. So starting with the third quarter, I will send an email letting everyone know that a random selection was done and that they will need to go not TestVault to see if they have any drivers that were selected. I am going to be working with TestVault to see if there is a problem.

**Vicki**  
**Samaritan Occupational Medicine**  
**Assistant Manager**

\*\*Remember to register with the **FMCSA Clearinghouse** at <https://clearinghouse.fmcsa.dot.gov/>

\*\*Learn more at <https://clearinghouse.fmcsa.dot.gov/Learn>

\*\*Helpful FAQs <https://clearinghouse.fmcsa.dot.gov/FAQ/FAQLearnMoreAll>



## S. Scott McDowell

---

**From:** Hamilton, Kevin <khamilton@co.linn.or.us>  
**Sent:** Monday, December 14, 2020 8:04 AM  
**To:** admin@ci.brownsville.or.us  
**Cc:** 'Karl Frink'; Maskal, Jeff  
**Subject:** Main Street surface treatment in Brownsville

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good morning, Scott,

I am planning a scrub seal surface treatment on Main Street next year. This work will extend from Highway 228 to Hausmann Ave.

A scrub seal is a type of chip seal, intended to seal the road surface and fill cracks. The goal of the treatment is to extend the life of the existing pavement. It involves applying a coat of emulsified asphalt to the surface. The asphalt emulsion is mechanically forced into the cracks in the pavement using a broom. That is followed by a machine that applies a layer of fine, crushed aggregate that embeds into the asphalt. The aggregate provides texture to the road, and protects the asphalt from traffic wear.

The scrub seal is allowed to set for 24 to 48 hours. After the set time, loose aggregate is swept from the road and a fog seal is applied. The fog seal applies an additional layer of asphalt which serves a couple of purposes. The first is to add a little binder to the top of the aggregate layer to help lock it in for better durability under traffic. The second function is that it provides greater contrast between stripes and the surface by "painting" the surface aggregate black. Finally, it makes the road more cosmetically pleasing. People like black roads more than they like brown or grey roads.

We can place traffic on the scrub seal very quickly. However, the fog seal must "break" before allowing traffic on it. Break times can vary from 20 minutes to an hour and a half depending on environmental conditions and product selected.

This process will be rather intrusive on the downtown environment for a couple of days.

I am planning the scrub seal to be performed on Thursday, August 5<sup>th</sup>. This will require no parking on Main Street during operations, probably 10 a.m. to 5 p.m. I am considering holding off the fog seal until Saturday, but I want to solicit your opinion on it. Please call me at your convenience. I would like to discuss the project and address any questions or concerns you have for it.

Kevin Hamilton  
*Operations Manager*  
*Linn County Road Department*  
*3010 Ferry St. SW*  
*Albany, OR 97322*  
*(541) 967-3919 office/message*  
*(541) 740-1787 cell*

**S. Scott McDowell**

---

**From:** Hamilton, Kevin <khamilton@co.linn.or.us>  
**Sent:** Monday, December 14, 2020 10:35 AM  
**To:** admin@ci.brownsville.or.us  
**Subject:** Main St.

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Scott,

I received your voicemail. I will try to be available at 2 this afternoon. There's nothing on my calendar, but that's not necessarily a guarantee of my availability.

Otherwise we shoot for the 16<sup>th</sup>, as you said. I'll look forward to talking to you.

Kevin Hamilton  
*Operations Manager*  
*Linn County Road Department*  
*3010 Ferry St. SW*  
*Albany, OR 97322*  
*(541) 967-3919 office/message*  
*(541) 740-1787 cell*

**MONTH END FINANCIAL RECAP**

	MAY 2021		YTD	%	Unexpended	
	REVENUE	EXPENDITURES				
1 GENERAL	\$ 51,311.91	\$ 44,747.43	\$ 789,828.46	28.43%	\$ 1,988,265.54	1
2 WATER	\$ 30,007.67	\$ 21,129.87	\$ 290,553.03	34.04%	\$ 563,131.97	2
3 SEWER	\$ 32,309.30	\$ 24,031.90	\$ 289,912.00	30.42%	\$ 663,203.00	3
4 STREETS	\$ 17,105.26	\$ 30,093.19	\$ 182,444.50	52.59%	\$ 164,455.50	4
5 WATER BOND	\$ 80.51	\$ -	\$ 46,800.61	62.99%	\$ 27,501.39	5
6 SEWER BOND	\$ 200.28	\$ -	\$ 305,050.00	96.12%	\$ 12,300.00	6
7 SEWER DEBT FEE	\$ 11,389.40	\$ -	\$ 112,509.36	36.38%	\$ -	7
8 BUILDING & EQUIPMENT	\$ 117.07	\$ -	\$ -	0.00%	\$ 192,400.00	8
9 WATER RESERVE	\$ 1,924.74	\$ -	\$ -	0.00%	\$ 100,800.00	9
10 HOUSING REHAB	\$ 116.86	\$ -	\$ -	0.00%	\$ 215,271.00	10
11 WATER SDC	\$ 29.56	\$ -	\$ -	0.00%	\$ 44,600.00	11
12 SEWER SDC	\$ 237.21	\$ -	\$ 120,000.00	28.87%	\$ 295,675.00	12
13 STORMWATER SDC	\$ 61.47	\$ -	\$ -	0.00%	\$ 104,505.00	13
14 BIKEWAY/PATHS	\$ 151.33	\$ -	\$ -	0.00%	\$ 52,990.00	14
15 LIBRARY TRUST	\$ 4.03	\$ -	\$ -	0.00%	\$ 7,412.00	15
16 CEMETERY	\$ 4.42	\$ -	\$ -	0.00%	\$ 8,826.00	16
17 TRANSIENT ROOM TX	\$ 0.98	\$ -	\$ 2,496.50	80.02%	\$ 623.50	17
18 SEWER CONSTRUCTION	\$ -	\$ -	\$ -	0.00%	\$ -	18
19 LAND ACQUISITION	\$ -	\$ -	\$ -	0.00%	\$ 9,995.00	19
20 COMMUNITY PROJECTS	\$ 76.40	\$ 7,538.64	\$ 31,155.86	22.68%	\$ 106,219.14	20
	\$ 145,128.40	\$ 127,541.03	\$ 2,058,240.96			

**Key Bank Account**

*General Checking* \$ 254,342.28

**Oregon State Treasury** \$ 5,507,931.04

*Community Improvements* \$ 0.94

*Project Escrow Holding* \$ 0.02

**TOTAL OST / LGIP** \$ 5,507,932.00

**Annual Bond Payment**

*Water* \$ 45,167.05

*Wastewater* \$ 307,259.95

**Total** \$ 352,427.00

**2020-2021**

Appropriated \$ 6,616,415 31.11%

**YTD**

**Total Bonded Debt (Principal Only)**

*Water* \$ 847,897.50

*Wastewater* \$ 5,126,135.50

\$ 5,974,033.00

**Total Bonded Debt is \$9,157,976 (Principle & Interest)**