

Administrative Service Manager's Report

January 25, 2024

A. 2022 AUDIT

December 31, 2022, Audit Report will need to be acted on (approved) at this meeting.

B. 2023-2025 AUDIT CONTRACT

There were 2 responses to the RFPs I sent out in November (8 total). They are in your packet. Both gave the cost for the first year, with the same schedule for increases over the following 2 years (CPI). For reference: Barnett & Moro has done the audits for the past 10 years, and their cost for the 2022 Audit was \$12,421. There is rarely more than one response to the RFP's.

The Board will need to accept one of the bids and sign the engagement letter.

Barnett & Moro	\$16,000
Anderson, Boylan, Ramos	\$12,500

C. PUBLIC MEETINGS LAW TRAINING

Effective January 1, 2024, all public officials are now required to have OGEC (Oregon Government Ethics Commission) approved training once per term. See SDAO Update and copy of new statute attached. Nothing to do immediately.

OWRC/SDIS is offering training in February – information was included in your packet. However, at this time the training has not been OGEC approved. We will keep you updated.

D. CWRE (Certified Water Rights Examiner)

There are provisions where qualified irrigation district employees can become CWRE's. The test is offered annually. The upcoming exams are April 12, 2024, and April 11, 2025. The application deadline is February 1st. I plan on taking the test this year, and I believe Bev is also. This will enable the district to file its own Claims of Beneficial Use, among other things.

E. SAFETY UPDATE

The second OSHA consultant was here on Tuesday. His focus was on the HEALTH/SANITATION aspect of everything. Briefly, the items that need addressing:

1. Railcar (COSTS INVOLVED):

- a. Rodent infestation – needs "appropriate" cleanup after rodent problem is solved.
- b. Lighting, Ventilation, Temperature – in the past we have looked at solar options since there is no power there, but there has been no follow through. Bob S. also mentioned that we need to make sure there is no explosion hazards with the methods we choose.
- c. Organization & Walkway width. This will require non-porous storage (pallets / shelving), with some kind of catch basin for the liquids.

2. Acrolein & Restricted Use Pesticide Storage (COST INVOLVED):

- a. Better security. Especially for acrolein: more secure fencing, taller, perhaps with barbed / razor wire at top.
- b. Better coordination with local first responders

3. Acrolein Trailer (NO COST, OR UP TO NEW TRAILER – DEPENDING):

Verify that load rating on trailer is adequate. It is a single-axle trailer – we are hauling up to 1,500 pounds on it. A broken axle would be devastating.

4. Eye wash stations (MINIMAL COST):

- a. The station at the new shop was never hooked up – needs **ASAP**.
- b. There needs to be a station in railcar that stays there, separate from the portable station that is taken out during treatments.
- c. Currently there is a portable station in the old shop that needs servicing but can be discontinued once the station in the new shop is operational. This can be moved to railcar.

5. Respirator Policy (NO COST):

Needs to be updated and inclusive of all uses of respirators in district. Currently it only addresses aquatic herbicide use. We need to add welding, ROW pesticide applications, wildfire smoke, etc. Some of these exist in separate policies, some not at all.

6. Safety Meetings (NO COST):

He had great ideas on how we can change our safety meetings to be more effective.

F. COLLECTIONS UPDATE

Update on collections from November board meeting. These are the accounts that were ordered for foreclosure.

1. Donald / Angelica Ashe	4N2520B 1601	1.20 ac	PAID IN FULL
2. Armando Javier Elizondo	5N2625D 0201	2.00 ac	PAID IN FULL
3. Rion Griffitts	5N2625AA0600	0.20 ac	PAID IN FULL
4. Theresa Morley	5N2625AA0202	0.20 ac	PAID IN FULL
5. David Swart	5N2714C 1300	1.90 ac	PAID IN FULL

6. Albert Erevia (Estate) 5N2625C 1305 0.80 ac ARRANGEMENTS

I was contacted by the attorney (Cameron Bendixen) handling the estate and the contests by various family members to it. Cameron was the one who originally represented Mr. Erevia in setting up the estate. Arrangements in Lieu of Foreclosure have been signed and regular payments (\$100/month) are being made. The attorney expects that once the estate is settled, payment will be made in full. The second component of this is correcting the deed – being done by a different attorney, through the estate attorney. I did file a lien to protect the district until this is settled.

These accounts have had the liens filed and will be sent to the attorney. Current balances are noted. I have held off on sending these to the attorney, still trying to resolve them. The current balance reflects the lien and legal fees. I have done what I can.

7. Crissa Parker / Laura Richter 5N2624DA3502 0.30 ac \$ 1,411.42
I received a check for \$200 on January 8, 2024. No further contact. The last payment before that was in September 2022, for \$800 (in response to collections at that time). I do not have any contact information for Crissa or Laura.

8. Shawn Sawyer 5N2623B 2200 1.00 ac \$ 2,082.42
9. Shawn Sawyer 5N2623B 2300 0.70 ac \$ 1,760.54
10. Shawn Sawyer 5N2623B 2400 0.10 ac \$ 288.72

IN FORECLOSURE BY MORROW COUNTY.

Although Shawn had told me that the county taxes had been paid, when I contacted the county to verify this, it turns out it is not correct. They remain unpaid.

11. Maira Alejandra Casas 5N2623D 1904 1.10 ac \$ 1,392.51
No contact or changes.

12. Juan Pablo Trujillo 5N2625A 1902 0.80 ac \$ 1,400.35
No contact or changes.

The following accounts still have follow-up that needs to be done.

13. Beverly Jo An Smith 5N2721B 0500 0.60 ac \$ 4,214.98
IN FORECLOSURE BY MORROW COUNTY.

I spoke with Bill Kuhn after the November board meeting. He stated that probate would need to be started by the district, but he suspected it would not be as costly as other accounts could be. (No probate is required when foreclosure is by county.)

DOES THE BOARD WANT TO BEGIN PROBATE?

14. Roger / Nora Shipley 5N2714C 1200 0.50 ac \$ 1,114.41
IN FORECLOSURE BY UMATILLA COUNTY.

The board agreed to move the water rights and cancel the bill. We are looking into the legality of this without a landowner's signature. Forfeiture of water rights for non-use is not an option for 2 reasons: the water right HAS been used, and the property is in an estate.

Public Meetings Law Training Requirement – Update

On January 1, 2024, HB 2805 went into effect adding a new mandatory public meetings training requirement for every member of a governing body of a public body with total expenditures of \$1 million or more per fiscal year. These governing body members must receive Public Meetings Law training at least once during their term of office.

The Oregon Government Ethics Commission (OGE) planned to begin providing Public Meetings Law trainings this month. We recently shared in our weekly email update that they had added these webinars to their website with information about how to register. Unfortunately, the webinars have been removed from their site and are no longer available.

We recently learned that OGE has delayed the review and approval of the Public Meetings Law trainings offered by outside agencies, including SDAO, until later this year. While you can continue to take our trainings on this topic, they will not fulfill the training requirement because they have not yet been approved by OGE.

It's important to note that only trainings reviewed and approved by OGE will fulfill the training requirement. However, the training requirement **does not need to be satisfied immediately**. It only needs to be completed once per term.

We will continue to keep you updated and will notify you as soon as we know about the availability of OGE trainings and the approval of SDAO trainings.

If you would like to receive updates on OGE's Public Meetings Law trainings, you can sign up for OGE's Public Meetings Law trainings email list on OGE's website at: <https://www.oregon.gov/ogec/Public-Meetings-Law/Pages/Training-Review.aspx>

... **192.700 Annual training requirements.** (1)(a) The Oregon Government Ethics Commission shall annually prepare training on the requirements of ORS 192.610 to 192.705 and best practices to enhance compliance with those requirements. The commission may delegate the preparation and presentation of trainings to another organization, except that the commission must approve the content of training prepared by another organization prior to presentation of the training.

(b) At the discretion of the commission, trainings prepared under this section may be presented in live sessions or be made available for viewing online. Training sessions may be presented to multiple governing bodies at any one time and may be presented in a prerecorded format.

(2)(a) Every member of a governing body of a public body with total expenditures for a fiscal year of \$1 million or more shall attend or view training prepared under this section at least once during the member's term of office and shall verify the member's attendance using the method prescribed by the commission.

(b) A member of a governing body who, under paragraph (a) of this subsection, is not required to attend training is nevertheless encouraged to attend training given under this section.

(3) The commission shall, at least once every five years, adjust the expenditure threshold for mandatory training described in subsection (2)(a) of this section to account for changes in inflation and shall by rule establish a new threshold, rounded to the nearest \$100,000, for mandatory training attendance under this section.

(4) This section does not apply to governing bodies of state government, as defined in ORS 174.111. [2023 c.417 §3]