

# Local

## Baker County Commissioners: Facilities update, vehicle purchase

BY TODD ARRIOLA  
Todd@TheBakerCountyPress.com

The Baker County Board of Commissioners held its first, regular session of the month, on April 6, 9 a.m., at the Courthouse.

Present from the Board were Commission Chair Bill Harvey, Commissioners Mark Bennett and Tim Kerns, and Executive Assistant Heidi Martin.

Attendance also included Baker County Facilities Maintenance Foreman Dan McQuisten, Baker County Roadmaster Jeff Smith, Baker County Watermaster Rick Lusk, Baker County Deputy Watermaster Nathan Petrucci, Baker County District Attorney Matt Shirtcliff, Community Connection of Baker County Transportation Options Coordinator Jodi Tool, Northeast Oregon Public Transit Manager Frank Thomas, Bruce Morrison, Torik and Wanda Ballard, Ed Hardt, John and Ramona Creighton, Ken Anderson, Ron Edge, and Ed Trindle.

The session was called to order, and the optional Invocation, and Pledge of Allegiance were recited, both led by Harvey. Shortly after that, the agenda was adopted, noting additional items to be discussed later in the session, with a motion from Bennett, and a second from Kerns.

Citizen Participation included Morrison, and Edge, who both expressed negative views, regarding the County's actions, in the Baker County vs. David McCarty, aka Columbia Basin Helicopter, case, in which McCarty prevailed, costing the County over \$300,000. They said the lawsuit could have been avoided, or resolved earlier, that McCarty is now operating in Union County, resulting in lost taxes and benefits for Baker County, and the award amount would have the addition of interest owed.

Hardt also commented during Citizen Participation that, because funds are received from hunters and anglers under the Pittman-Robertson Act of 1937, for the purpose of conservation efforts, hunter's education, and shooting projects and programs, benefiting the State, those individuals should have a chance to acquire damage control tags for wolves, similar to the damage control tags for deer, and elk (he referenced a recent kill order for four wolves in the Imnaha pack, by the Oregon Department of Fish and Wildlife).

McQuisten provided a Facilities departmental update, which included descriptions of his and staff roles, and completed, and upcoming projects. Major completed projects include: the removal, and replacement of City trees, and curb replacement, under the City Tree Plan; the total renovation of gutters, down spouts, and french drains; Circuit Court updates, including the Judge's bench, and a Court Reporter work station installation; and HVAC unit updates for the Justice Center Jail—three completed, with two to three planned for this year.

Upcoming projects include: a storage build-



Ron Edge stands and gives Commissioners a piece of his mind regarding the Columbia Basin Helicopter lawsuit.

ing project, in partnership with the County Road Department; stone repair for the County Courthouse; and, the biggest project, according to McQuisten, the full implementation of maintenance management software, which he said he's excited to complete.

Lusk and Petrucci discussed a vehicle purchase request, for a 2003 GMC Sonoma, from Bulldog Motors, which was approved, with a motion from Kerns, and a second from Bennett. The purchase price is \$8,000, and the vehicle will be replacing a 1993 Ford F-150, according to Lusk. He stated that no bids were returned from Gentry Ford, Baker Garage, or Powder River Motors, for similar type vehicles. The funds to purchase the vehicle will come from the existing Watermaster budget; \$4,000 from the existing Equipment line, and the rest from salary savings, and no additional funds are proposed to be utilized from the General Fund, Lusk stated.

A Professional Services Agreement, between Baker County, and St. Luke's Regional Medical Center, Ltd., for the services of John Schott, MD, as Health Officer for Baker County, was approved, with a motion from Bennett, and a second from Kerns. Schott will receive \$825 per month from the County for his services, according to the agreement, from the period of July 1, 2015, through June 30, 2016.

A Professional Services Agreement, between Baker County, and St. Luke's Regional Medical Center, Ltd., for the services of Eric Lamb, MD, RPH, as Consultant Pharmacist, was approved, with a motion from Bennett, and a second from Kerns. Lamb will receive \$75 per hour from the County for his services, according to the agreement, from the period of July 1, 2015, through June 30, 2016.

Smith discussed Oregon Department of Transportation (ODOT) Agreement No. 31235, between ODOT, and Baker County, for the purpose of ODOT sign upgrades, along Old Highway 30, within the County's jurisdiction or right of way, according to the agreement. This is part of ODOT's Region 5 Local Jurisdiction Sign Upgrades 2016 project, under the Highway Safety Improvement Program (HSIP), and the total cost is estimated at \$6,200, financed fully with State

funds (no matching local funds are required for this project, according to the agreement).

Smith discussed an ODOT Bargain and Sale Deed, and Quit Claim Deed, for rock quarries located at Poleline Road, and along I-84, which was approved, with the condition of an associated escrow account, with a motion from Bennett, and a second from Kerns.

Tool and Thomas discussed the ongoing topic of a Regional Vanpool Development Proposal, between Baker and Union counties, for the purpose of general employee transportation to and from each county. A trial run of the experimental program was approved, with a motion from Harvey, and a second from Kerns. This covers the period through July 1, 2016, and funds will be from Economic Development, of \$500.

Martin discussed the County Sick Leave Policy, citing the Sick Leave Law, which took effect in January. The document states: "The law requires large employers, to provide paid sick leave to employees who may not qualify for benefits. As a result, Baker County must offer 1 hour of paid sick leave for every 30 hours worked to those employees who work, on average, less than 20 hours per week. The law also applies to seasonal, temporary and reserve employees. Baker County currently has approximately 40 employees who may qualify. Employees cannot accrue or use more than 40 hours of sick leave in a year. Sick leave will be paid out at the employees' current rate of pay. Unused sick leave will not be cashed out upon termination from employment." The policy was adopted, with a motion from Bennett, and a second from Kerns.

Trindle discussed issues with the Lime plant industrial/rangeland area, stating that property lines need to be determined, in order for the County to be able to negotiate any future sale, or other actions. He said he's interested in a possible proposal, but someone needs to properly find the property lines, using GPS, etc. He mentioned that an unknown party has cattle in the area. Harvey expressed a desire to separate the industrial area from the rangeland, in an effort to make the Lime plant area more marketable. This will be a continuing discussion, involving more research, as no decisions

were made at this time.

Shirtcliff discussed the topic of seeking bids for outside legal counsel for the County, regarding complex land use issues, administrative law, litigation prevention, etc.

Harvey discussed the American Stewards of Liberty, a "...non-profit organization dedicated to protecting private property rights, defending the use of our land, and restoring local control..." according to the organization's website. Harvey said it would be advantageous to be a member of that group, and Bennett and Kerns voiced budget concerns, and the need to research the benefits more (the minimum to join would be \$500, and Harvey suggested \$1,000). Several attendees, including the Creightons, the Ballards, and Anderson, supported the idea. The discussion will continue at a later date, as no decision was made.

Order No. 2016-127, Appointing A Member To The Baker County Weed Board, was approved, with a motion from Kerns, and a second from Bennett. David Clemens was re-appointed, and Thomas Huff was appointed, their term set to expire on April 1, 2019.

Resolution No. 2016-1003, Authorizing Employees Of New Directions Northwest To Direct A Peace Officer Or Approved Secure Transport Provider To Take Allegedly Mentally Ill Persons Into Custody, was adopted, with a motion from Bennett, and a second from Kerns. The authorized individuals include Community Health Director Shari Selander, Marji Lind, Kelli Wright, Shad Thomas, Brenda Carnhan, Julie Farnam, Mairi Nielsen, David Stark, Diedre Gestrin, Erin Aldrich, Chris Hazel, Timothy Morgan, Molly Collins, and Catherine O'Brien.

Amendment No. 5 to Oregon Health Authority 2015-2017 Intergovernmental Agreement For The Financing Of Community Addictions And Mental Health Services Agreement No. 147781, was ratified, with a motion from Bennett, and a second from Kerns.

Other business included the ongoing discussion between Baker County, and the Tri-County Weed Management Area (TCWMA), in order to resolve budget issues, and other concerns, and lease concerns with the Union Pacific/Baker County Railroad Depot, on Broadway, past 10th Street.

## Tasty Bake

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He said that he's aware of a metal fabrication company somewhere in the local area, which the new owners of Tasty Bake have their sights on purchasing, however, that could not be confirmed. "I hope they don't do that to them (the fabrication company) as well, because, you don't need to be destroying economies at all," Portillo said.

"You know, the gentleman sounded to me—I've never met him live, only in phone conversations—what was so interesting was, you just never felt like they were in. Why would they buy companies, and destroy them so quickly, I just could not understand that, you know what I mean? It doesn't make any sense, right? There are other reasons for such aggressive moves ...The former owner (Johnson) is going after them, as well. He loves his company, and he would take it back in a second, if he could. He is a person of high ethics ..."

Portillo said that from his understanding, there are Tasty Bake employees who are yet to be paid, and he emphasized what a serious violation of the law that would be. "If you're going to do anything, you cannot hold wages back—that's a crime... I'm sure Oregon law requires that every employee gets paid expeditiously... I've heard from them numerous times, that people were not being paid. Forget about us—the brokers, the sales people, the subcontractors—you pay cut your employees, and expect them to work—you can't do that ..." He emphasized the impact of the loss to the local community.

He said that the move to purchase Tasty Bake, and possibly, a metal fabrication company somewhere in the local area, didn't make sense to him, since the new owners have shown zero experience with either subject, according to Portillo. "If you're a doctor, you buy a doctor's office, right? If you're a car business, you buy car lots. You don't buy way out of your scope," he said.

Portillo said that Southern California distribution from Tasty Bake, under Johnson, had included Ardella's, which was the company's largest contract in California, which in turn distributed its product to K-12 students in the school districts. "When you serve the school districts, it's massive—thousands of cases," he said.

"Most of the issues from 2013, I don't think they recovered from that ... It was nothing with the quality of production, or distribution, it was solely for another reason. No one knows what it is ... I just don't see a reason why ... You can sell all you want, and we had orders, but what are you going to do? There was a reason why they acquired it, and there's a reason why they closed it ... It just doesn't make sense," Portillo said.

Future plans for the company and the plant, and the reason(s) for the halt in operation are unknown at this point, because neither Samarah, nor Chief Financial Officer Amit Shukla returned phone calls, to comment on those topics.

## Arrests made in hunting crimes

On October 31, 2015 the Oregon State Police (OSP) Fish and Wildlife Division (La Grande) received a report of suspicious activity involving two bull elk killed in the Starkey Wildlife Management Unit. A person observed elk being shot and killed in the early morning hours. Hunters did not attempting to salvage the meat. Darren Naillon, age 43, and a 15 year-old juvenile (both of St. Helens) were contacted at 11:00 p.m. walking back to their camp. It was determined they had been waiting since 2:30 p.m. for Troopers to leave. The hunters had killed two branch antler bulls and only one had a tag. The hunters did not have any meat with them at the time of the contact and advised Troopers both elk had been boned out and the meat was with their packs (left behind in the forest). Early the next morning, Troopers located both bulls and the packs loaded with a small amount of meat for two bull elk. Troopers found that both bulls had only prime cuts of meat removed. The animals had not been field dressed and the hides had been partially removed. Half the meat on both animals had been wasted. The hunters took the largest of the two elk's antlers.

In March, Naillon plead guilty to Aiding in a Game Violation and Waste of a Game Animal. He was sentenced to three years hunting suspension, 3 years bench probation, 30 hours community service, \$16,588 fines and restitution. All evidence forfeited, to include: two custom rifles, a backpack and antlers.



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