

# Business / Agriculture

## OGEC investigations wrap up for various Sumpter officials

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The Oregon Government Ethics Commission (OGEC) recently wrapped up cases on Samantha Rowan, Leland Myers, and Cary Clarke. The start date of the cases is listed as 2/16/16, with Myers' case closed 11/4/16 and Rowan's case closed 12/16/16. Michael Thornicroft, JD, OGEC investigator, confirmed Clarke's case will be closed as soon as he returns the signed stipulations, which is expected to happen this week.

The cases have to do with an executive session held by Sumpter City Council on 1/28/16. This meeting was to talk with attorney Dan Van Thiel, who had been brought forward as a potential City attorney as the current attorney would no longer be serving the City.

Robert Armbruster and Ada (Annie) Oakley are the listed complainants on the cases. Armbruster explained that they as a Council had wanted to meet with Van Thiel and get to know him. When the meeting was posted as a closed executive session, Armbruster said he contacted then-mayor Leland Myers within thirty

minutes to state that such a session would be in violation of public meeting laws. Myers told him they were going to have the meeting anyway. Armbruster told him he would not be attending. Oakley, on City Council at the time, also did not attend.

Armbruster said he checked with the Ethics Commission and was told he was right about the meeting being in violation of the executive session laws and not to attend. He e-mailed the other Council members with his reasons for not attending and gave them contact information of a person at the Ethics Commission.

Armbruster stated he felt like he had to file the complaint, as the Council obviously acted outside the rules. He said he was told the complaints must be filed against all Councilors in attendance, and not just the mayor who made the decision to hold the meeting. Armbruster stated the Council made no illegal decisions during the executive session and that it wasn't "earth-shattering", but is a symptom of the ongoing issues for the City. He said there has been too much bending of rules, leading to turmoil.

Armbruster mentioned

that the process took a long time because the OGEC had a similar case at the same time in another City and so spent time digging into the investigation a little deeper than they might otherwise have.

Investigation documents from the OGEC state that the Commission found cause to investigate on 4/8/16 after preliminary review.

Respondents Rowan, Myers, and Clarke, through City Recorder Julie McKinney, provided a recording and written minutes of the executive session. According to investigation documents, "the audio recording of the executive session is decisive in this investigation. During the executive session, Van Thiel was being interviewed for the position of city attorney for the City of Sumpter. No other matters regarding the ongoing litigation were discussed, nor was the current city attorney discussed."

ORS 192.660 outlines the permissible topics for discussion in an executive session. These include "the employment of a public officer, employee, staff member or individual agent", providing certain prerequisites are met. These include public

announcement of the vacancy, having adopted regular hiring procedures, and the public having the opportunity to comment on the employment of the officer. The Commission found that the City of Sumpter did not announce or advertise the vacancy for City attorney, the City does not have set hiring procedures for this position, and there did not appear to be a designated time set for public comment on the process.

On 9/23/16, the Commission made a preliminary finding of a preponderance of evidence that Rowan, Myers, and Clarke violated the executive session provisions of ORS 192.660. The Commission offered a contested case hearing opportunity and proposed stipulated final orders to all involved Council members. Rowan and Myers signed and returned copies of the stipulations, with Clarke's anticipated to be returned this week.

The Commission is authorized to assess civil penalties of up to \$1,000 per violation, but opted not to do so. The terms of settlement state that the respondents will receive a letter of education to "settle and compromise this matter."

## Local attorney named one of 10 best in family law

The American Institute of Family Law Attorneys has recognized the exceptional performance of Oregon's Family Law Attorney J. David Coughlin as 2016 10 Best Family Law Attorney for Client Satisfaction.

The American Institute of Family Law Attorneys is a third-party attorney rating organization that

publishes an annual list of the Top 10 Family Law Attorneys in each state. Attorneys who are selected to the "10 Best" list must pass AIOFLA's rigorous selection process, which is based on client and/or peer nominations, thorough research, and AIOFLA's independent evaluation. AIOFLA's annual list was created to be used as a

resource for clients during the attorney selection process.

One of the most significant aspects of the selection process involves attorneys' relationships and reputation among his or her clients.

As clients should be an attorney's top priority, AIOFLA places the utmost emphasis on selecting law-

yers who have achieved significant success in the field of Family Law without sacrificing the service and support they provide.

Selection criteria therefore focus on attorneys who demonstrate the highest standards of Client Satisfaction.

## BLM releases draft EIS to withhold lands from mining

As part of its continuing efforts to conserve habitat vital to healthy populations of the Greater Sage-Grouse in the West, the Bureau of Land Management (BLM) announced on December 30 the draft proposal to withdraw a subset of lands that are sage-grouse strongholds from future mining claims.

Based on public comments received during the scoping period over the last year, the draft Environmental Impact Statement (EIS) analyzes five alternatives, ranging from no action to the withdrawal of approximately 10 million acres of federal locatable minerals in certain areas that are particularly crucial to the Greater Sage-Grouse in six states: Idaho, Montana, Nevada, Oregon, Utah, and Wyoming.

The announcement, which will be published in the Federal Register tomorrow, opens a 90-day public comment period that will end March 30, 2017. The BLM will also host eight public meetings throughout the West in February to gather input on

the proposal and alternatives to the proposal.

"We appreciate the input we've received from states, tribes, and other important stakeholders to help develop this draft analysis of the proposed mineral withdrawal," said Kristin Bail, BLM assistant director for resources and planning. "We look forward to working closely with the public in the coming months as we finalize a proposal to protect important Greater Sage-Grouse habitat from potential future disturbance resulting from mining claims."

Secretary of the Interior Sally Jewell first announced the proposed withdrawal in September, 2015, as part of the unprecedented, landscape-scale effort that began with BLM's and its state and federal partners' successful efforts to prevent the Greater Sage-Grouse from being listed under the Endangered Species Act.

To develop the proposal and its alternatives, the BLM held public meetings in November 2015 in the six states to gather

information and comments about whether to withdraw these areas from the location of new mining claims for up to 20 years. The BLM also incorporated a mineral resource assessment prepared by the U.S. Geological Survey to help develop a reasonably foreseeable development scenario for the draft EIS.

In addition to releasing the draft EIS, the agency published a Notice of Amended Proposed Withdrawal that would add about 388,000 acres to the approximately 10 million acres that are already temporarily segregated under the mining laws until Sept. 24, 2017. These lands represent a proposal by the State of Nevada that areas adjacent to SFAs that contain high value habitat and identified Greater Sage-Grouse populations should be withdrawn, instead of high mineral development potential areas in the SFAs. The draft EIS includes an alternative that evaluates the environmental consequences of this substitution.

Neither the segrega-

tion, nor any subsequent withdrawal, would prohibit ongoing or future mining exploration or extraction operations on valid pre-existing claims.

At one time, the Greater Sage-Grouse population likely numbered in the millions, but is estimated to have dwindled to 200,000 to 500,000 individuals range-wide.

Sagebrush, the Greater Sage-Grouse's primary habitat, also supports more than 350 other animal and plant species in the Western United States.

More information such as maps and fact sheets are here: [www.blm.gov/programs/fish-and-wildlife/sagegrouse/blm-sagegrouse-plans/minerals-withdrawals](http://www.blm.gov/programs/fish-and-wildlife/sagegrouse/blm-sagegrouse-plans/minerals-withdrawals)

You can comment by mailing written comments to Mark Mackiewicz, Bureau of Land Management (BLM) WO, C/O Price Field Office, 125 South 600 West, Price, Utah 84501 or by submitting electronically to [sagebrush\\_withdrawals@blm.gov](mailto:sagebrush_withdrawals@blm.gov).

### — WEEKLY HAY REPORT —

Friday, December 23, 2016 — Eastern Oregon  
(No new report due to holidays.)

Prices trended generally steady in a limited test compared to week ago prices. Most demand lays with the retail/stable hay. According to some producers, horse owners prefer lower sugar, higher protein hay. The recent snows slowed movement as trucks couldn't get to the farms to get loaded.

Tons	Price Range	Wtd Avg
Alfalfa — Large Square	Good/Premium	
30	140.00-140.00	140.00
Alfalfa / Orchard Mix — Small Square	Premium	
15	165.00-165.00	165.00
Timothy Grass — Large Square	Fair	
35	100.00-100.00	100.00

USDA Market News Service—AMS.USDA.gov

### — CATTLE MARKET REPORT —

Wednesday, December 21, 2016  
Vale, Oregon

Cattle sold through the auction: 456  
(No new auction due to holidays.)

Steer Calves		
300-400#	Bulk 126.00 - 154.00	Top 155.00
400-500#	Bulk 137.00 - 151.00	Top 152.00
500-600#	Bulk 132.00 - 146.00	Top 147.00

Heifer Calves		
300-400#	Bulk 119.00 - 132.00	Top 134.00
400-500#	Bulk 104.00 - 126.00	Top 128.00
500-600#	Bulk 115.00 - 123.00	Top 124.00

Yearling Steers		
600-700#	Bulk 121.00 - 131.00	Top 133.00
700-800#	Bulk 107.00 - 116.00	Top 117.75
800-900#	Bulk N/A	Top N/A
900-1,000#	Bulk N/A	Top N/A

Yearling Heifers		
600-700#	Bulk 115.00 - 123.00	Top 124.00
700-800#	Bulk N/A	Top N/A
800-900#	Bulk N/A	Top N/A
900-1,000#	Bulk N/A	Top N/A

Thin Shelly Cows	39.00 - 49.00
Butcher Cows	51.00 - 58.00
Butcher Bulls	53.00 - 66.00
Pairs Young	975.00 - 1375.00
Hfretts.	62.00 - 79.00
Stock Cows Old	N/A
<b>ProducersLivestock.com</b>	
<b>541-473-3136</b>	

### — LOG PRICE REPORT —

Prices are based on the majority of saw mills in Northeastern Oregon and Central Idaho. The prices listed below are a composite prices of various sawmills willing to visit with me about this topic.

Ponderosa Pine—small diameter class 8-11 inches diameter class \$250 per mbf. Only one sawmill was willing to buy small diameter pine at this time.

Ponderosa Pine—medium diameter class 12-17 inches diameter class \$300 to \$350 per mbf

Ponderosa Pine-large diameter class 18 plus inches diameter class \$380 to \$410 per mbf

The Pine prices are still approximately \$40 per mbf below average lumber/log market due to 2017 fire salvage

Doug Fir & Western Larch—\$380 to \$420 per mbf. Normal prices typically ranged between \$425 to \$475 per mbf.

White Fir-\$300 per mbf. Normal prices typically ranged between \$340 to \$360 per mbf.

Engelmann Spruce—\$350 at one Idaho sawmill, other sawmills including with White fir prices.

In general, the log prices still impacted from 2015 fire season and fire salvage that resulted. Sawmills are starting to get log yard inventory in line with sawmill production needs. With a new Administration as of 1/20/2017, a more normal economic environment should result and hopefully a more healthy housing situation will result in a better climate for Northeast Oregon Sawmill and private forest landowners.

*Courtesy of Arvid Andersen, Andersen Forestry Consulting*

### — PRECIOUS METALS REPORT —

Price per ounce, USD

Gold: \$1,164.20

Silver: \$16.48

Platinum: \$943.25

Palladium: \$738.52

Bloomberg.com

### — AG COMMODITIES —

Corn: \$359.75/bu/USD

Wheat: \$418.50/bu/USD

Soybeans: \$1015.25/bu/USD

Oats: \$237.75 bu/USD

Rough Rice: \$9.73/cwt/USD

Canola: \$503.65 CAD/mwt

Live Cattle: \$115.68/lb./USD

Feeder Cattle: \$123.75/lb./USD

Lean Hogs: \$64.60/lb./USD

Bloomberg.com