SNOWPACK

Continued from Page 1A

That snow is by far the largest reservoir, and winter storms have an outsized effect on the water supply.

This year's drought has depleted reservoirs, including Phillips, along the Powder River not far from Morgan's house.

Phillips, which is part of the Baker Valley Irrigation District, is holding about 7% of its capacity.

Based on previous years when it was similarly drained, the reservoir, which supplies irrigation water to more than 30,000 acres in the Baker Valley, probably won't refill in 2021 even if the snowpack this coming winter is bountiful.

But a skimpy snowpack would exacerbate an already daunting situation.

Which is why Morgan, although acknowledging that the snowpack season is in its infancy, was pleased by how rapidly the snow piled up.

And surprised.

"It's been a long time since we've had this much snow this early," Morgan said.

Statistics from the array of automated snow-measuring stations around the Blue Mountains lend numerical support to his assessment.

Most of those sites — they're called "Sno-tels," and they consist of a liquid-filled pillow with a sensor that weighs the snow and calculates its water content — are reporting much more snow than average for the middle of November.

And in a couple of cases the current snowpack is setting a record for this time of year.

At Eilertson Meadow in the Elkhorn Mountains west of Haines, for example, the water content on Tuesday, Nov. 17, was 2.7 inches, the highest ever measured on that date since the Snotel was installed in 1980.

The previous record at Eilertson Meadow, which is along Rock Creek, was 2.0 inches in 1985.

Another record-setter is Gold Center, near the Sumpter-Granite Highway between those two towns, about 40 mile west of Baker City.

The water content at Gold Center Tuesday was 3.4 inches, nipping the previous record for the date of 3.3 inches, set in 2005.

The water content of 2.7 inches at Bourne, about 6 miles north of Sumpter, fell just short of the record of 2.9 inches, set in 2005.

At Tipton Summit, on Highway 7 between Baker City and Austin Junction, the water content of 2.9 is also the second-highest for the date. The record is 3.4 inches, set in 1982.

A warming trend this week melted much of the snow at lower elevations, but more snow is forecast over the next several days in the mountains, especially above about 5,000 feet elevation.

COUNTY

Continued from Page 1A

In a Nov. 10 written response to questions from the Baker City Herald, Johnson wrote that he thinks the commissioners' decision to restart the request for proposals is a "joke."

"It could be argued that releasing a new RFP after (Anthony Lakes') proposal and budget have been released and are now public record, is in itself unethical," Johnson wrote. "Baker County is currently missing out on some huge opportunities due to the complete mishandling of this RFP process."

Public records request

The Baker City Herald requested a copy of Martin's Sept. 24 responses to the commissioners' questions in early October.

Heidi Martin, executive assistant to the commissioners, responded that Martin had concluded his responses were not subject to release, under Oregon's Public Records Law, due to the attorney-client privilege exception in that law.

The Herald appealed that decision to District Attorney Greg Baxter.

On Oct. 19 Baxter determined that Martin's answers were not exempt from disclosure and he ordered that the county supply the document to the Herald.

Martin concluded that the county commissioners, not the lodging tax committee, should oversee the process for soliciting a contractor to run the visitors center, including writing the request for proposals.

In his response to commissioners, Martin cited the county's transient lodging tax ordinance, which commissioners approved in 2019. The ordinance states that requests for proposals or contracts "shall be adopted by the Commission prior to enactment."

"So in reality this process should have been conducted by the County from the beginning," Martin wrote.

Although the ordinance does give commissioners the ultimate authority to decide whether to issue requests for proposals or approve contracts, commissioners have in the past relied on the lodging tax committee both as an advisory group and to draft documents such as requests for proposals for commissioners to consider.

In his response to the commissioners' questions, Martin wrote that the county should not have allowed Anthony Lakes Mountain Resort to submit a proposal in late 2019 because at that time the county still had a legal interest in the ski area, which the previous, and private, owners gifted to the county in 2010.

According to the minutes from the commissioners' Sept. 16 meeting, members of the nonprofit Baker County Development Corporation, which owns the ski area, had been appointed by the county.

Over the past several years the county commissioners have not had any involvement in the ski area's operation, Commissioner Mark Bennett said on Tuesday, Nov. 17.

He said commissioners formally dissolved any legal relationship between the county and the ski area by voting to release the county's interests earlier this year.

The request for proposals that commissioners approved in 2019 didn't mention the county's relationship with the Baker County Development Corporation and did not exclude Anthony Lakes from submitting a proposal.

Conflicts of interest claim

Commissioners in their September email to Martin also asked the attorney about Chelsea Judy, a member of the lodging tax committee who also works as Anthony Lakes marketing director.

Judy has acknowledged that her dual positions constitute a conflict of interest. According to minutes from the lodging tax committee's Oct. 17, 2019, meeting, Judy abstained from voting when the committee approved the request for proposals during that meeting.

She also recused herself, sitting with the audience and not casting a vote, when the committee voted during its Jan. 30, 2020, meeting to recommend commissioners award the contract to Anthony Lakes, according to the minutes from that meeting.

In their email to Martin, commissioners acknowledge that Judy recused herself from voting on approving the request for proposals.

But commissioners claim that Judy "allegedly assisted the (lodging) Committee Chair in drafting the RFP" and that she "did have a copy of Baker County Unlimited's (the Chamber of Commerce) proposal."

Martin's response: "Her participation in any part of the process certainly raises conflict of interest issues but also violates the RFP process, which allows proposal to be opened in a manner to avoid disclosing contents of the proposal to competing bidders."

Martin cites Oregon Revised Statute 279B.06 (6), which deals with the manner in which proposals are opened.

But Johnson, Anthony Lakes general manager, contends Martin's responses are "false, misleading, and show a complete lack of understanding of the RFP (request for proposals) process."

The commissioners' question to Martin does not state when Judy had a copy of the Chamber of Commerce's proposal.

But Johnson, in a written response to the Herald, said Judy could not have seen a copy of that proposal until the rest of the lodging tax committee did, in January 2020.

"The proposals were submitted to Shelly Christensen with Baker County, not directly to TLT (the lodging tax committee)," Johnson wrote. "Following the closing date of the RFP, Shelly submitted them all at once to the TLTC. There is no way any TLT member would have proprietary information throughout the RFP process. The proposals were 'opened in a manner to avoid disclosing contents of the proposal to competing bidders.' It surprises us that the County and it's attorney did not take the time to contact Shelly Christensen to understand the process."

Johnson said he is offended by the county's insinuation that Judy acted improperly.

"Chelsea Judy recused herself at the very start of this RFP process," he wrote to the Herald. "This recusal is noted in the TLT minutes and Chelsea had no part whatsoever of the RFP process. To imply that an ALMR employee acted unethically is not something we take lightly and we will follow up directly with the County and/or it's attorney regarding this accusation."

Judy wrote in an email to the Herald that she is in "full support" of the statement that Johnson wrote.

Baker City Mayor Loran Joseph, who is the city's representative on the lodging tax committee and attended each of the 2019 meetings during which the committee discussed the request for proposals for visitor services, agreed with Johnson that Judy had no involvement in that process.

"Chelsea recused herself entirely," Joseph said.

Joseph also said there was "no way" that Judy, or any other member of the lodging tax committee, could have seen either of the two proposals because they were submitted to Christensen, who works for the county, not to the committee.

Joseph

Christensen then brought the proposals to the committee during its Jan. 30, 2020, meeting, Joseph said. That was the meeting at which the committee voted 5-1 to recommend the county commissioners award the contract to Anthony Lakes.

Joseph said the committee was aware of the state law designed to ensure that proposals aren't disclosed to competing bidders.

Nichols said he has no proof that Judy had a copy of the Chamber's proposal at any time before Christensen supplied copies of both proposals to the lodging tax committee. He described the contention as "hearsay."

Christensen, who takes minutes for lodging tax committee meetings, said on Tuesday, Nov. 17, that both the Chamber of Commerce and Anthony Lakes submitted their proposals before the Dec. 31, 2019, deadline.

Christensen said she emailed both proposals to all lodging tax committee members at 12:21 p.m. on Jan. 6, 2020.

Bennett said the reference to Judy having a copy of the Chamber of Commerce's proposal was not in his view an assertion that she had a copy earlier than other committee members, or before the deadline to submit proposals.

Bennett said the allegation was raised by citizens, and he wanted to make sure Martin gave his legal opinion about all possible conflicts related to the process of recruiting a contractor to run the visitors center.

"I admire all the work that Chelsea does," Bennett said. "I don't want to be critical of Chelsea."

In a letter to commissioners in February 2020, Keith and Suzan Ellis Jones of Bridgeport contended that Judy was "privy to all the information in the Chambers proposal and budget, giving the Anthony Lakes group and unfair advantage ..."

Harvey said on Tuesday, Nov. 17, that the reference to Judy having a copy of the Chamber's proposal was not an accusation, but a "question."

Question about phone call

Commissioners, in their questions to Martin, wrote that "During the meeting to award the RFP, one member of the (lodging tax) Committee stated that he did not know how to vote on the issue and left the meeting to make a phone call. After getting guidance on his vote he came back and cast his vote."

The minutes for the lodging tax committee's Jan. 30, 2020, meeting state that committee member Buell Gonzales Jr. "indicated he did not have enough information to make a decision. Loran (Joseph) recommended the Committee continue with the remaining agenda to give Buell enough time to make a few phone calls to get needed information."

In his response to the commissioners' question about the phone call, Martin wrote that the situation the commissioners described "certainly violated the RFP process if the member utilized information not included within the responses to RFP to make a decision."

Gonzales said on Wednesday, Nov. 18, that before the Jan. 30 meeting he had reviewed the two proposals and preferred Anthony Lakes.'

Gonzales said he called two people during that meeting — Mark Witty, superintendent of the Baker School District, and Andrew Bryan, a member of the Baker School Board.

Gonzales said he doesn't recall specifically what information he was seeking, but he thinks it was to confirm the name of someone he wasn't familiar with.

He said the calls had nothing to do with him voting in favor of recommending the commissioners award the contract to Anthony Lakes.

The commissioners' question misstates the circumstances of the Jan. 30 meeting by stating that the lodging tax committee met to "award" the RFP. Since the committee's role is advisory only it does not have the authority to actually award contracts.

As the lodging tax ordinance states, only commissioners have that authority. They met on Feb. 19, 2020, to award the visitor services contract but ultimately decided to delay that decision.

Nichols said the wording likely was an oversight.

Another potential conflict of interest

The commissioners in their questions to Martin also raise an issue that did not exist when the lodging tax committee voted Jan. 30 to recommend commissioners award the visitor services contract to Anthony Lakes.

At that time Tori Thatcher was a member of the lodging tax committee.

In March 2020 her father, Tyler Brown, was also appointed to the committee to fill a vacancy.

The commissioners, in their list of questions to Martin, wrote: "Two members of the same family are currently serving on the Transient Lodging Tax Committee and both of those members have business directly with Anthony Lakes. Is this a conflict?"

Martin's answer, in part: "Potentially yes, if those businesses would receive a financial benefit from Anthony Lakes being awarded the contract."

Martin also wrote that "Regardless of whether it rises to the level of an actual conflict of interest it certainly looks bad and would taint the process even if Anthony Lakes is the best candidate."

Brown said he doesn't believe his or his daughter's membership on the lodging tax committee constitutes a conflict of interest, calling the allegation "totally baseless."

He said his daughter has a business that manages bed and breakfasts and vacation rental homes, which collect lodging taxes from guests.

According to the lodging tax ordinance, among the criteria that determine membership on the committee are people with, among other things, a "vested interest in County tourism."

Brown said Anthony Lakes does serve beer from his brewery, although he said the ski area buys the beer not directly from him but from a distributor.

In any case, Brown said he considers Anthony Lakes a competitor as well as a customer, since the ski area also serves meals and potentially draws diners who might otherwise patronize his brew pub in Baker City.

WESLEY FINANCIAL GROUP, LLC

We Cancel TIMESHARES for You

Every year 150,000 people reach out to us for help getting rid of their timeshare. In 2019, we relieved over $50,000,000 in timeshare debt and maintenance fees. We can help.

Get your free information kit and see if you qualify:

855-385-4473

LeafFilter GUTTER PROTECTION

NO MORE GUTTER CLEANING, OR YOUR MONEY BACK GUARANTEED!

CALL US TODAY FOR A FREE ESTIMATE 1-855-536-8838

15% OFF YOUR ENTIRE PURCHASE* AND! 10% OFF SENIOR & MILITARY DISCOUNTS + 5% OFF TO THE FIRST 50 CALLERS!**

Promo Number: 285 Mon-Thurs: 8am-11pm, Fri-Sat: 8am-5pm, Sun: 2pm-8pm EST

*For those who qualify. One coupon per household. No obligation estimate valid for 1 year. ** Offer valid at estimate only. CSLB# 1035795 DOPL #10783658-5501 License# 7656 License# 50145 License# 41354 License# 99338 License# 128344 License# 218294 License# 603 233 977 License# 2102212986 License# 2106212946 License# 2705132153A License# LEAFFNW822JZ License# WV056912 License# WC-29998-H17 Nassau HIC License# H01067000 Registration# 176447 Registration# HIC.0649905 Registration# C127229 Registration# C127230 Registration# 366920918 Registration# PC6475 Registration# IR731804 Registration# 13VH09953900 Registration# PA069383 Suffolk HIC License# 52229-H

EO MEDIA group eomediagroup.com

Media Sales Professional

EO Media Group is looking to hire a **full-time Media Sales Professional** to work in **NE Oregon.** Do you have the drive and determination to succeed? Would you like to take your **sales career to the next level** in a **fast-paced multi-media sales environment**? If so, please read on!

This exciting position is **commissioned with guaranteed income**. We offer excellent benefits including **insurance, paid time off (PTO), a 401(k)-retirement plan, a Roth IRA, and expense reimbursement.** If this sounds like the right business development opportunity for you, apply today!

ABOUT EO MEDIA GROUP

EO Media Group is a family-owned Oregon media company with deep roots in the Pacific Northwest. Our NE properties are located in Pendleton, Hermiston, La Grande, Baker City, John Day and Enterprise, Oregon. Our newspapers, websites and magazines provide credible, fair, and timely reporting about the people and issues impacting the communities we serve as well as a comprehensive suite of marketing solutions for local businesses.

A DAY IN THE LIFE OF A MEDIA SALES PROFESSIONAL

As a Media Sales Professional, you play a crucial role in the success of our clients, community and company by assisting local businesses in achieving success through advertising in our diverse suite of products, including everything from the daily newspaper to our digital services and beyond. The primary focus of your position is territory development — use your interpersonal skills to build business relationships with key decision-makers as you help them get the most out of their advertising dollars.

QUALIFICATIONS FOR A MEDIA SALES PROFESSIONAL

• Business development and contract negotiation skills • Two years of sales experience

Proven success in media or digital sales and a degree in marketing are highly desirable but multiple factors will be taken into consideration. Do you have excellent communication skills? Are you organized and goal-oriented? Can you work independently with the support of a solid team behind you? Do you thrive in a CRM-driven environment? Are you known for following through consistently? Do you have outstanding proposal and presentation skills? If so, you might just be perfect for this Media Sales Professional position!

While COVID-19 restrictions are in place, this position will may work from home after initial training. In our offices, we practice social distancing and masks are required. After COVID-19 restrictions are lifted, you will have the opportunity to join teammates at one of our offices and frequently see customers in person.

READY TO JOIN OUR TEAM?

We understand your time is valuable and that is why we have a very quick and easy application process. If you feel that you would be right for this business development position, please fill out our initial **3-minute, mobile-friendly application**. We look forward to meeting you!

https://www.applicantpro.com/openings/eomediagroup/jobs/1580530-431165