

CITY OF GERVAIS  
**CITY COUNCIL REGULAR MEETING**  
Thursday, April 4, 2024 – 7:00 Regular Meeting  
Gervais City Hall, 592 Fourth Street, Gervais, OR 97026



**Americans with Disabilities Act** – The City of Gervais intends to comply with the A.D.A. The meeting location is accessible for individuals needing special accommodations. To request an accommodation, please contact City Hall at 503-792-4900 at least 48 hours prior to the meeting.

The meeting will be held in person and via remote access.

Microsoft Teams meeting  
[www.microsoft.com/en-us/microsoft-teams/join-a-meeting](https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting)

Meeting ID: 273 863 256 617  
Passcode: cqxjU7

**AGENDA**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Public Comment: This is a business meeting of the City Council. The City values and welcomes public input on matters of City concern. Please address the Council as a whole rather than individual Council Members or City staff. Council action on items brought up in Public Comment is limited by the Oregon Open Meeting Law. The Council may direct Staff to study the matter and reschedule for further consideration at a later date. Public comment is limited to three minutes per person with an optional two minutes for Council questions and answers. If you wish to address Council please come forward to the podium and identify yourself for the record.
5. Consent Calendar:
  - a. Approval of minutes
    - I. January 23, 2024 Special Session
    - II. March 7, 2024 Regular Session
  - b. Bills list for March 2024

***Requested action: Motion to approve the consent calendar.***

6. Committee Reports

Gervais is a charming, dynamic rural community with a rich cultural heritage, valuing the past and anticipating the future...a wonderful and tranquil place to work, play and live.

**The City of Gervais is an Equal Opportunity Provider and Employer. Complaints of discrimination should be sent to: USDA, Director, Office of Civil Rights, Washington, DC 20250-9410**

7. Presentations
  - a. Chief Budge – Fire Station
  - b. Cindy Rogers from Republic Garbage
8. Public Hearing
  - a. None
9. Old Business
  - a. Budget Committee.
  - b. 2024 Annual City-Wide Clean-up
10. New Business
  - a. Celebrate Arbor Month proclamation.
  - b. 24-001 Resolution – Authorizing to approve change orders to Wastewater Treatment Plant
  - c. 24-002 Resolution – Authorizing Rueben Law Enforcement Consulting Firm in providing professional services
  - d. 24-003 Resolution – Opting into the recreational immunity provided in ORS Chapter 105 and SB 1576
11. Staff Reports:
  - a. Police Department
  - b. Public Works
  - c. Administration
12. Business from the Mayor or Council
13. Adjourn

Gervais is a charming, dynamic rural community with a rich cultural heritage, valuing the past and anticipating the future...a wonderful and tranquil place to work, play and live.

**The City of Gervais is an Equal Opportunity Provider and Employer. Complaints of discrimination should be sent to: USDA, Director, Office of Civil Rights, Washington, DC 20250-9410**

**MINUTES OF THE SPECIAL SESSION OF THE GERVAIS CITY COUNCIL  
COUNTY OF MARION, STATE OF OREGON  
HELD AT GERVAIS CITY HALL WITH ONLINE ALTERNATIVE AT 6:30 PM ON January 23, 2024**

**1. Call to Order**

Mayor Annie Gilland called the meeting to order at 6:30 pm (later discovered there was technical difficulties and only 33 seconds on the recording)

**2. Pledge of Allegiance**

**3. Roll Call**

Mayor Annie Gilland	Present
Councilor Rob Ladd	Present
Councilor Baltazar Gonzalez	Present
Council President Michael Gregory	Present
Councilor Joel Ramon	Present
Councilor John Harvey	Present

Staff Present: City Manager Interim Roger Brown, Admin Assistant Laura Clifton, Police Lt Tim West

Others Present: None

**4. Executive Session**

- a. ORS 192.660 (2) (h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.**

**5. Return to Special open meeting @ 7:20 PM (recording started)**

Mayor Annie Gilland asked Peter Hicks, Council for the City, specifically if anything said in an Executive meeting could be discussed outside of the meeting? Peter Hicks explained that what was discussed in an Executive session was confidential and should not be disclosed. The subject of the meeting was identified on the agenda.

There was a question from the audience from a taxpayer "that it was his right to know what was going on in the city". Councilman Harvey responded that you can't know what was happening in an executive session and that you can come back during a regular meeting for information.

Another audience member asked for the meeting notices to be put on the website. Mayor Gilland explained that there was a bad handoff between administration, and we currently do

**MINUTES OF THE SPECIAL SESSION OF THE GERVAIS CITY COUNCIL  
COUNTY OF MARION, STATE OF OREGON  
HELD AT GERVAIS CITY HALL WITH ONLINE ALTERNATIVE AT 6:30 PM ON January 23, 2024**

not have the passwords to update the website. The new website was ready in April and would be launched as soon as their schedule opens up.

Another comment from the audience that "we don't like things done behind closed doors" Mayor Gilland invited the citizens to the council meetings on the first Thursday of the month at 7:00

Mayor Gilland called for the last question and an audience member asked about the posting of the agenda on Facebook but not on all the Facebook pages. Mayor Gilland explained that she "was not allowed to post on some of the pages but did the best she could" and the law only required it to be posted 24 hours before the meeting.

**6. Meeting Adjourned @ 7:24 pm**

**I, LAURA CLIFFTON, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON January 4, 2024, ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.**

ATTESTED:

\_\_\_\_\_  
Rodger Brown, Pro-tem City Manager

\_\_\_\_\_  
Annie Gilland, Mayor



**MINUTES OF THE REGULAR SESSION OF THE GERVAIS CITY COUNCIL MEETING  
IN THE COUNTY OF MARION, STATE OF OREGON  
HELD AT GERVAIS CITY HALL WITH ONLINE ALTERNATIVE AT 7:00 PM ON March 7, 2024**

**1. Call to Order**

Mayor Annie Gilland called the meeting to order at 7:30 pm (because of the earlier 5:30 Executive meeting the regular meeting started late.)

**2. Pledge of Allegiance**

**3. Roll Call – by Mayor Annie Gilland**

Councilor John Harvey	Present
Councilor Joel Ramon	Present
Council President Michael Gregory	Present
Mayor Annie Gilland	Present
Councilor Baltazar Gonzalez	Present
Councilor Rob Ladd	Present

Staff Present: City Manager Interim Roger Brown, Kyle Jentsch, Admin Assistant Laura Clifton, Police Lt Tim West and Ed Trompke, City Pro-tem Attorney

Others Present: None

**Announcements/Additions: none**

**4. Public Comments:** Mayor read the rules regarding public comment but also added if anybody feels disparaged that they may leave the room.

Brian Wagner, 166 E. Hemlock Dr, shared his thoughts and feelings regarding the council's abuse of power & feels they are exploiting a loophole in the charter by the absence of a real city manager. He claims there is an unbalanced hierarchy, unethical, lack of transparency and orchestrated powerplay. He then goes on to suggest that the council does not inform the community of what is going on, alters the scope of an investigation, meets individuals behind closed doors, shares propaganda material and partial truths. Then went on to explain his opinion on what real leaders should do to properly promote trust and transparency. The council claims on unprofessionalism and criminal behavior from the former city manager Susie Marston and former Police Chief Chase lack concrete evidence and the only thing provided he feels is disgruntled current or former employees and lacks real evidence to support the claims in the investigation. And claims there was money wasted on a charter change because of not meeting a deadline or being submitted on time for the ballot. He expressed that the city deserved better and demands answers.

Chase Skinner, 565 E. Elm Dr., his question was what proper training on a new charter would be given to the individuals that would inherit the power that a revised charter fir HR or hiring firing power to the Oregon laws are followed.

Mayor Gilland commented that it be addressed under item #9 Charter Change- Scheduling a workshop.

Amy Skinner, 565 E. Elm Dr., her question was regarding the questions that work odd hours and suggest having workshops on the weekends.

John Harvey responded the generally they are scheduled according to the rules on the third Thursday of the month.

Mayor Gilland also responded that because she also works, she tries to keep her weekends for family but would be open to it.

#### **5. Consent Calendar:**

- a. Approval of minutes
  - i. February 1, 2024 Regular Session
  - ii. February 1, 2024 Executive Session
  - iii. February 20, 2024 Executive Session
  - iv. February 20, 2024 Special Session
- b. Bill list for February 2024

***Council President Gregory made a motion to approve the consent calendar as presented. Councilor Ramon seconds the motion. Motion is carried and so moved with 5 ayes and 0 nays.***

#### **6. Committee Reports**

- a. None

#### **7. Presentations**

- a. None

#### **8. Public Hearing**

- a. None

#### **9. Old Business**

- a. Budget Committee update or possible action to appoint budget committee members?

***Council President Gregory made a motion to appoint Amy Skinner, Lisa Stravens, Cathi Harvey, Ivan Stanely and Doug Lanphere to the Budget Committee. Councilor Ramon seconds the motion.***

Councilor Harvey was under the impression that there would be 4 appointed members to the committee.

Mayor Gilliland responded that there would be an alternate because of a resident's death in the family and not sure if she would be able to fulfill the obligation.

***Motion is carried and so moved with 5 ayes and 0 nays.***

- b. Charter Change – the mayor explained the work that had led up to now and the money spent - addressing the rumors. Brian Wagner interrupted with an emotional outburst and calls the mayor a liar. The mayor continues on explaining that more work is needed so another Workshop. Currently Gervais's Human Resources, Hiring and Firing has been one person and is not a fair for the employees and is not good practice. She adds that the language and legality of the charter needs to be correct and asks the City Attorney, Ed Trompke to add his opinion on the matter. His recommendation was to hold another workshop, citizens input & council discussion for one person hire / fire and another person to talk to about issues that may arise between an employee and their boss. He talked about making the November election or it could be a special election.

Available schedules for a workshop in the upcoming months were discussed and it was decided on April 18 at 7p.m

Ed Trompke, Pro Tem City Lawyer mentions that Oregon Law does allow for the recording and joining on-line to accommodate public participation.

The mayor also offers personal time to meet with citizens if they have ideas or suggestions that they may have.

- c. 2024 Annual City-Wide Clean-up will be April 20<sup>th</sup> from 8 am – 2 pm. The mayor thanks the business participating and asks for volunteers to help.

The audience questioned where the city-wide clean-up takes place & asked how is this being promoted to the community. Citizens offered to pass out fliers to their neighbors. You can call and get put on the list at city hall for a crew to stop by & get curbside pick up if you are unable to bring it over to the collection site. There also were discussions regarding the disposal of tires and support of the local businesses. The City of Gervais is only open to city residents.

Tree City USA – was brought up that it was during the same time.

## **10. New Business**

none

## **11. Staff reports**

- a. Police Department – Lt. Tim West  
Verbally went over the report he submitted.
- b. Public Works – Public Works Superintendent Kyle Jentsch  
Noted that we did receive the Tree USA package last week and that was in process. He verbally went over the report he submitted.

Councilor Harvey noted that last year there were donations collected for a BBQ for the Republic employees who donated their time to help.

Mayor Gilland noted that the volunteers would be provided lunch (pizzas)

- c. Administration – Pro tem City Manager Roger Brown  
Verbally went over the report he submitted.

Mayor Gilland asked about the recording requirements that were not done for the grants.

## **12. Business from the Mayor or Council –**

Mayor addressed the legality of the charter vs. having a city manager pro-tem and hiring a permanent city manager as soon as practicable.

Ed Trompke, Gervais City Lawyer Pro-tem, addressed how a judge would interpret the charter and that they would defer to how the city council understands and enforces the charter. He also cites a case for support. He does not see that the council is doing anything wrong with a city manager pro tem.

Micky Wagner comments from the audience that she feels everything is being stalled which gives the council more power to make changes, hire and fire (evident with the Chief) and is wondering how long council is planning on keeping an interim that does not have the authority for hire / fire.

Ed Trompke, Gervais City Lawyer Pro-tem, asked Mayor Gilland to respond that there is a shortage of Qualified candidates to fill the positions. Questions from the audience questioned him on his credentials and who he was.

Mayor Gilland talked about being informed and coming to the meetings.

Brian Wagner commented that open public Q&A sessions and not meeting privately. In his opinion the council did not inform the citizens of a charter change. Mayor Gilland did respond that we have had 2 previous meetings, and you weren't there. He commented that people are now aware of the workshop and suggest getting a larger venue that City Hall will not be big enough to accommodate everyone that will show up. He suggested the school.

A citizen asked about a follow-up Water Workshop to discuss raising the rates.

Mayor Gilland responded that it would probably be scheduled during the April Meeting.

A citizen suggested putting things on the water bill to let the community know what was going on.

**13. Adjourned @ 7:56 pm**

**I, LAURA CLIFFTON, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON February 1, 2024, ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.**

ATTESTED:

\_\_\_\_\_  
Rodger Brown, Pro-tem City Manager

\_\_\_\_\_  
Annie Gilland, Mayor



**MINUTES OF THE REGULAR SESSION OF THE GERVAIS CITY COUNCIL MEETING  
IN THE COUNTY OF MARION, STATE OF OREGON  
HELD AT GERVAIS CITY HALL WITH ONLINE ALTERNATIVE AT 7:00 PM ON March 7, 2024**

**1. Call to Order**

Mayor Annie Gilland called the meeting to order at 7:30 pm (because of the earlier 5:30 Executive meeting the regular meeting started late.)

**2. Pledge of Allegiance**

**3. Roll Call -- by Mayor Annie Gilland**

Councilor John Harvey	Present
Councilor Joel Ramon	Present
Council President Michael Gregory	Present
Mayor Annie Gilland	Present
Councilor Baltazar Gonzalez	Present
Councilor Rob Ladd	Present

Staff Present: City Manager Interim Roger Brown, Kyle Jentsch, Admin Assistant Laura Clifton, Police Lt Tim West and Ed Trompke, City Pro-tem Attorney

Others Present: None

**Announcements/Additions: none**

**4. Public Comments:** Mayor read the rules regarding public comment but also added if anybody feels disparaged that they may leave the room.

Brian Wagner, 166 E. Hemlock Dr, shared his thoughts and feelings regarding the council's abuse of power & feels they are exploiting a loophole in the charter by the absence of a real city manager. He claims there is an unbalanced hierarchy, unethical, lack of transparency and orchestrated powerplay. He then goes on to suggest that the council does not inform the community of what is going on, alters the scope of an investigation, meets individuals behind closed doors, shares propaganda material and partial truths. Then went on to explain his opinion on what real leaders should do to properly promote trust and transparency. The council claims on unprofessionalism and criminal behavior from the former city manager Susie Marston and former Police Chief Chase lack concrete evidence and the only thing provided he feels is disgruntled current or former employees and lacks real evidence to support the claims in the investigation. And claims there was money wasted on a charter change because of not meeting a deadline or being submitted on time for the ballot. He expressed that the city deserved better and demands answers.

Chase Skinner, 565 E. Elm Dr., his question was what proper training on a new charter would be given to the individuals that would inherit the power that a revised charter fir HR or hiring firing power to the Oregon laws are followed.

Mayor Gilland commented that it be addressed under item #9 Charter Change- Scheduling a workshop.

Amy Skinner, 565 E. Elm Dr., her question was regarding the questions that work odd hours and suggest having workshops on the weekends.

John Harvey responded the generally they are scheduled according to the rules on the third Thursday of the month.

Mayor Gilland also responded that because she also works, she tries to keep her weekends for family but would be open to it.

#### **5. Consent Calendar:**

- a. Approval of minutes
  - i. February 1, 2024 Regular Session
  - ii. February 1, 2024 Executive Session
  - iii. February 20, 2024 Executive Session
  - iv. February 20, 2024 Special Session
- b. Bill list for February 2024

***Council President Gregory made a motion to approve the consent calendar as presented. Councilor Ramon seconds the motion. Motion is carried and so moved with 5 ayes and 0 nays.***

#### **6. Committee Reports**

- a. None

#### **7. Presentations**

- a. None

#### **8. Public Hearing**

- a. None

#### **9. Old Business**

a. Budget Committee update or possible action to appoint budget committee members?  
***Council President Gregory made a motion to appoint Amy Skinner, Lisa Stravens, Cathi Harvey, Ivan Stanely and Doug Lanphere to the Budget Committee. Councilor Ramon seconds the motion.***



Councilor Harvey was under the impression that there would be 4 appointed members to the committee.

Mayor Gilliland responded that there would be an alternate because of a resident's death in the family and not sure if she would be able to fulfill the obligation.

***Motion is carried and so moved with 5 ayes and 0 nays.***

- b. Charter Change – the mayor explained the work that had led up to now and the money spent - addressing the rumors. Brian Wagner interrupted with an emotional outburst and calls the mayor a liar. The mayor continues on explaining that more work is needed so another Workshop. Currently Gervais's Human Resources, Hiring and Firing has been one person and is not a fair for the employees and is not good practice. She adds that the language and legality of the charter needs to be correct and asks the City Attorney, Ed Trompke to add his opinion on the matter. His recommendation was to hold another workshop, citizens input & council discussion for one person hire / fire and another person to talk to about issues that may arise between an employee and their boss. He talked about making the November election or it could be a special election.

Available schedules for a workshop in the upcoming months were discussed and it was decided on April 18 at 7p.m

Ed Trompke, Pro Tem City Lawyer mentions that Oregon Law does allow for the recording and joining on-line to accommodate public participation.

The mayor also offers personal time to meet with citizens if they have ideas or suggestions that they may have.

- c. 2024 Annual City-Wide Clean-up will be April 20<sup>th</sup> from 8 am – 2 pm. The mayor thanks the business participating and asks for volunteers to help.

The audience questioned where the city-wide clean-up takes place & asked how is this being promoted to the community. Citizens offered to pass out fliers to their neighbors. You can call and get put on the list at city hall for a crew to stop by & get curbside pick up if you are unable to bring it over to the collection site. There also were discussions regarding the disposal of tires and support of the local businesses. The City of Gervais is only open to city residents.

Tree City USA – was brought up that it was during the same time.

## **10. New Business**

none

## **11. Staff reports**

- a. Police Department – Lt. Tim West  
Verbally went over the report he submitted.
- b. Public Works – Public Works Superintendent Kyle Jentsch  
Noted that we did receive the Tree USA package last week and that was in process. He verbally went over the report he submitted.

Councilor Harvey noted that last year there were donations collected for a BBQ for the Republic employees who donated their time to help.

Mayor Gilland noted that the volunteers would be provided lunch (pizzas)

- c. Administration – Pro tem City Manager Roger Brown  
Verbally went over the report he submitted.

Mayor Gilland asked about the recording requirements that were not done for the grants.

## **12. Business from the Mayor or Council –**

Mayor addressed the legality of the charter vs. having a city manager pro-tem and hiring a permanent city manager as soon as practicable.

Ed Trompke, Gervais City Lawyer Pro-tem, addressed how a judge would interpret the charter and that they would defer to how the city council understands and enforces the charter. He also cites a case for support. He does not see that the council is doing anything wrong with a city manager pro tem.

Micky Wagner comments from the audience that she feels everything is being stalled which gives the council more power to make changes, hire and fire (evident with the Chief) and is wondering how long council is planning on keeping an interim that does not have the authority for hire / fire.

Ed Trompke, Gervais City Lawyer Pro-tem, asked Mayor Gilland to respond that there is a shortage of Qualified candidates to fill the positions. Questions from the audience questioned him on his credentials and who he was.

Mayor Gilland talked about being informed and coming to the meetings.

Brian Wagner commented that open public Q&A sessions and not meeting privately. In his opinion the council did not inform the citizens of a charter change. Mayor Gilland did respond that we have had 2 previous meetings, and you weren't there. He commented that people are now aware of the workshop and suggest getting a larger venue that City Hall will not be big enough to accommodate everyone that will show up. He suggested the school.

A citizen asked about a follow-up Water Workshop to discuss raising the rates.

Mayor Gilland responded that it would probably be scheduled during the April Meeting.

A citizen suggested putting things on the water bill to let the community know what was going on.

**13. Adjourned @ 7:56 pm**

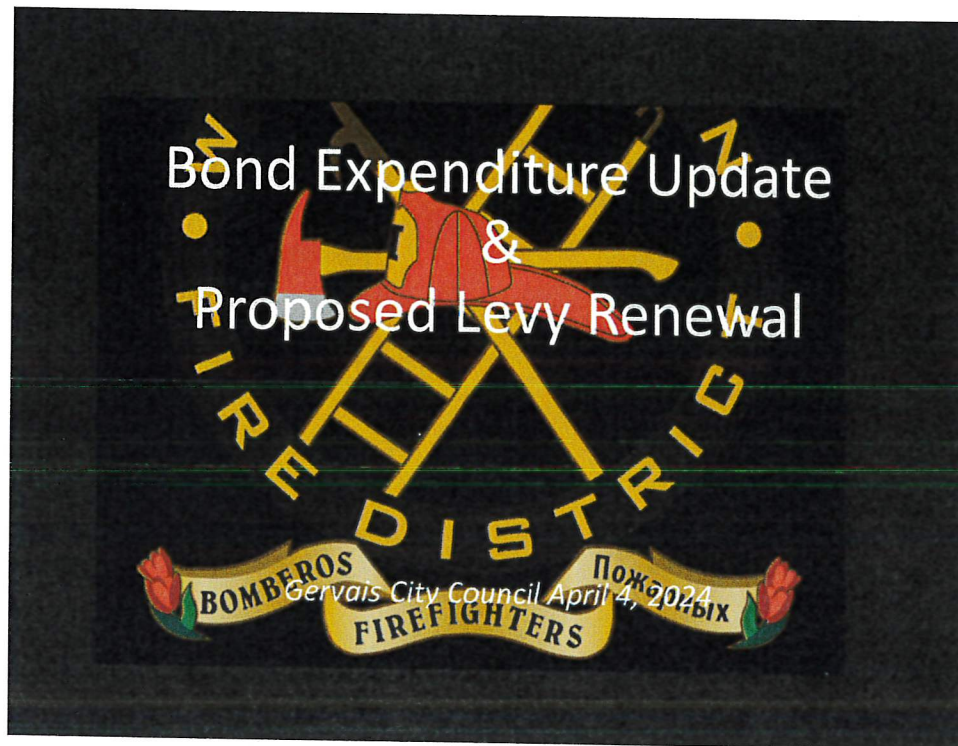
**I, LAURA CLIFFTON, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON February 1, 2024, ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.**

ATTESTED:

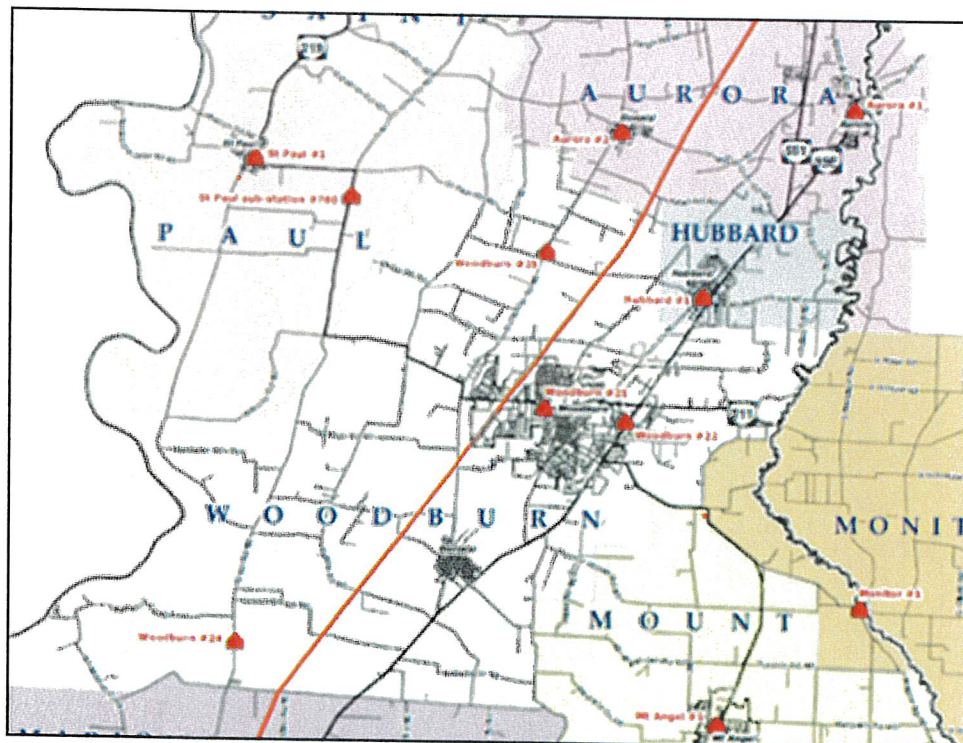
\_\_\_\_\_  
Rodger Brown, Pro-tem City Manager

\_\_\_\_\_  
Annie Gilland, Mayor





1



2





3



4





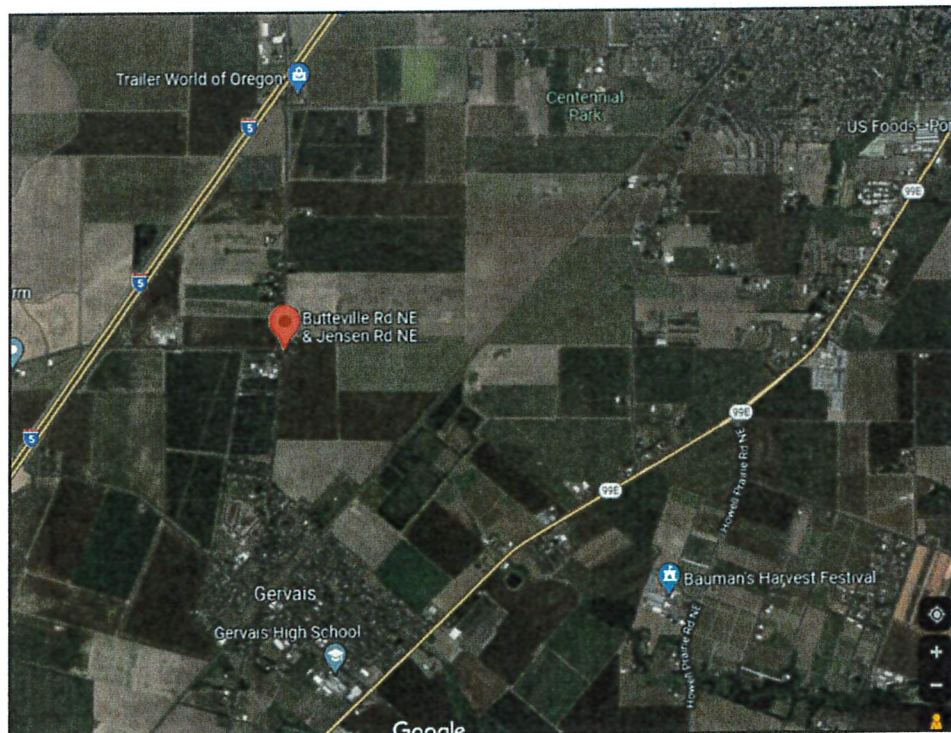
5



6



7

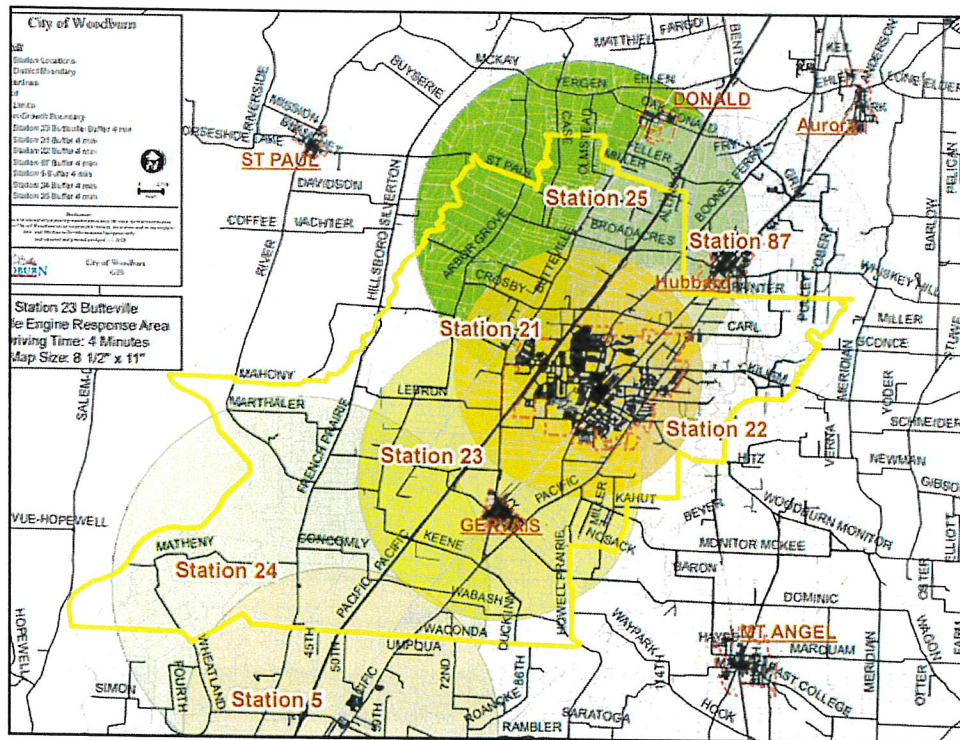


8

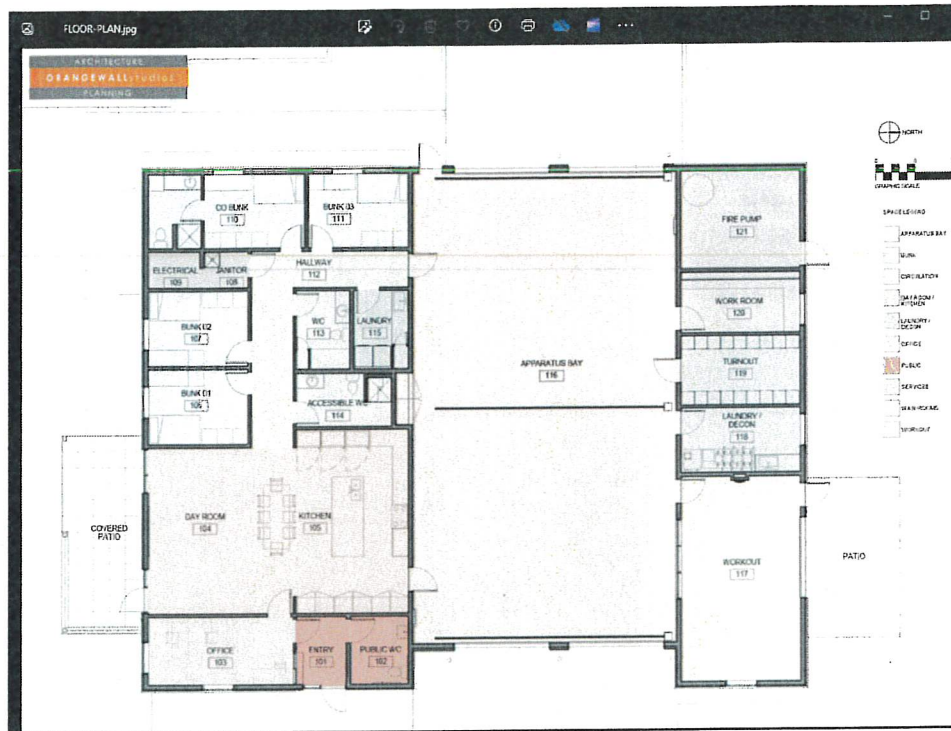




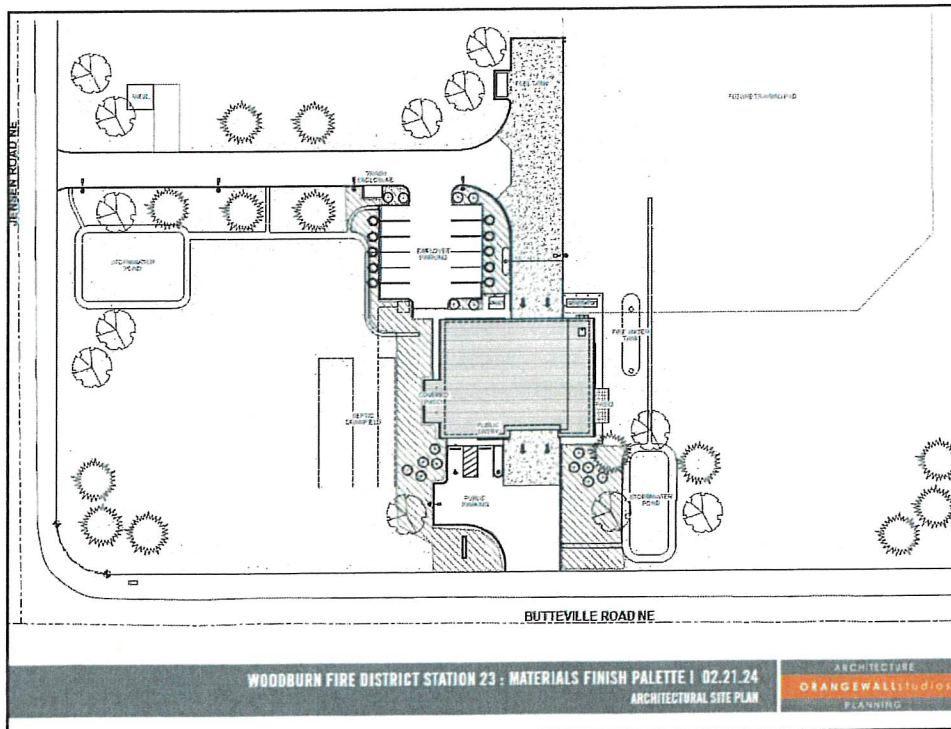
9



10

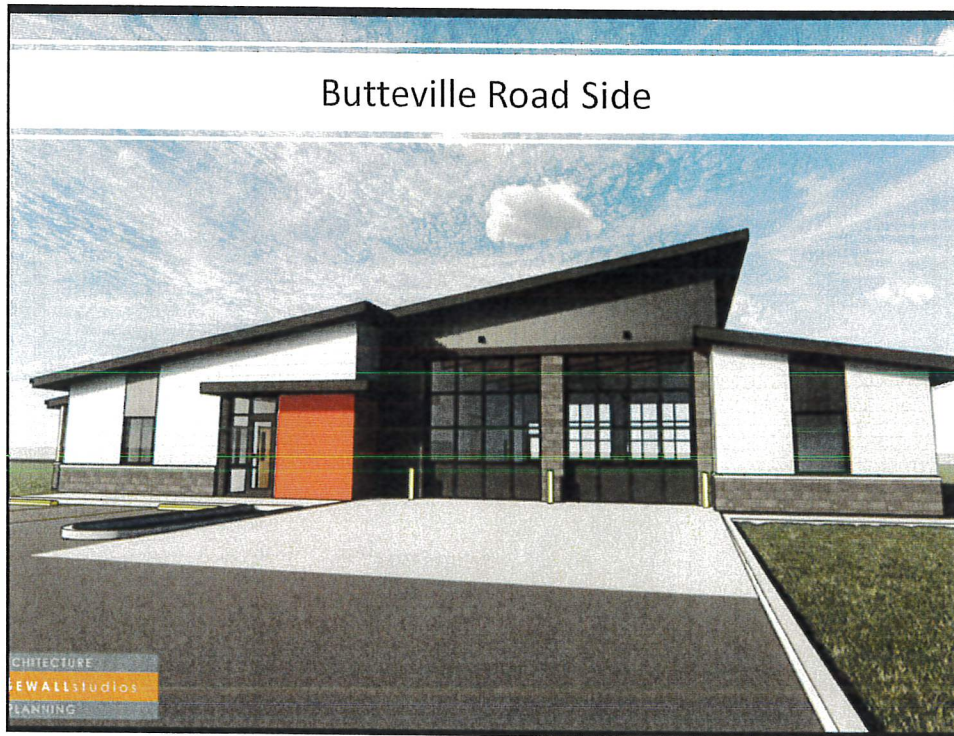


11

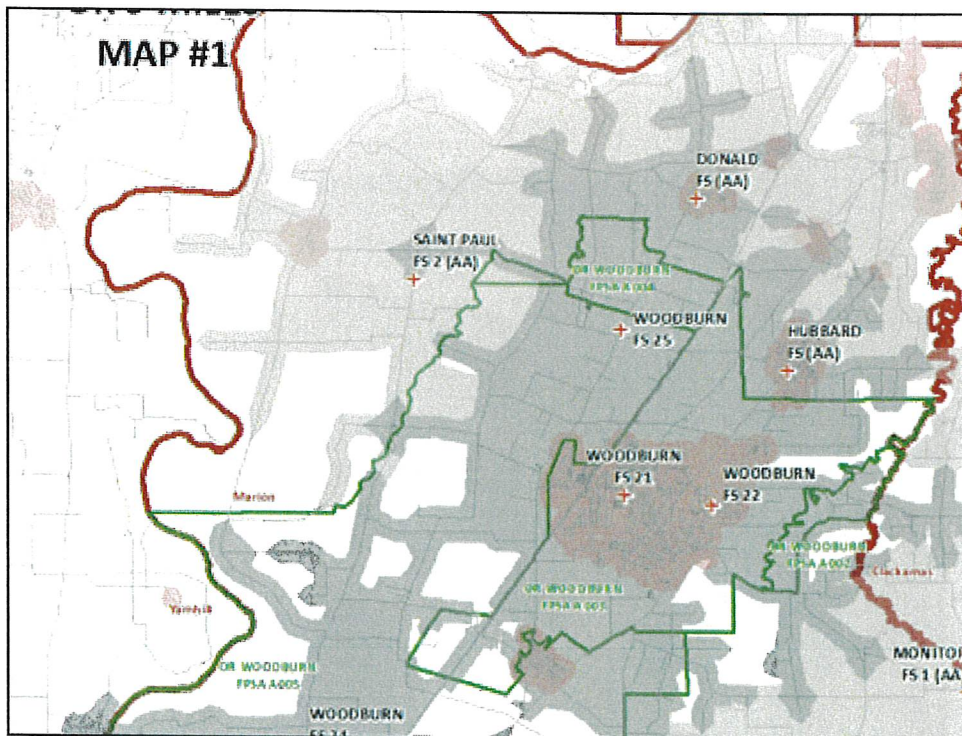


12

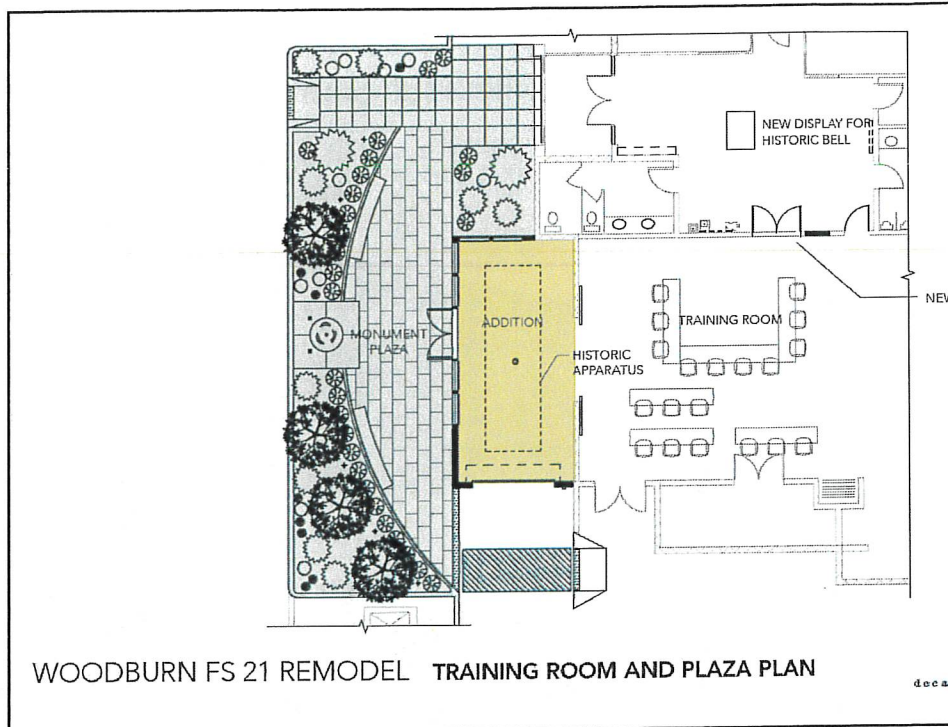




13



14



15

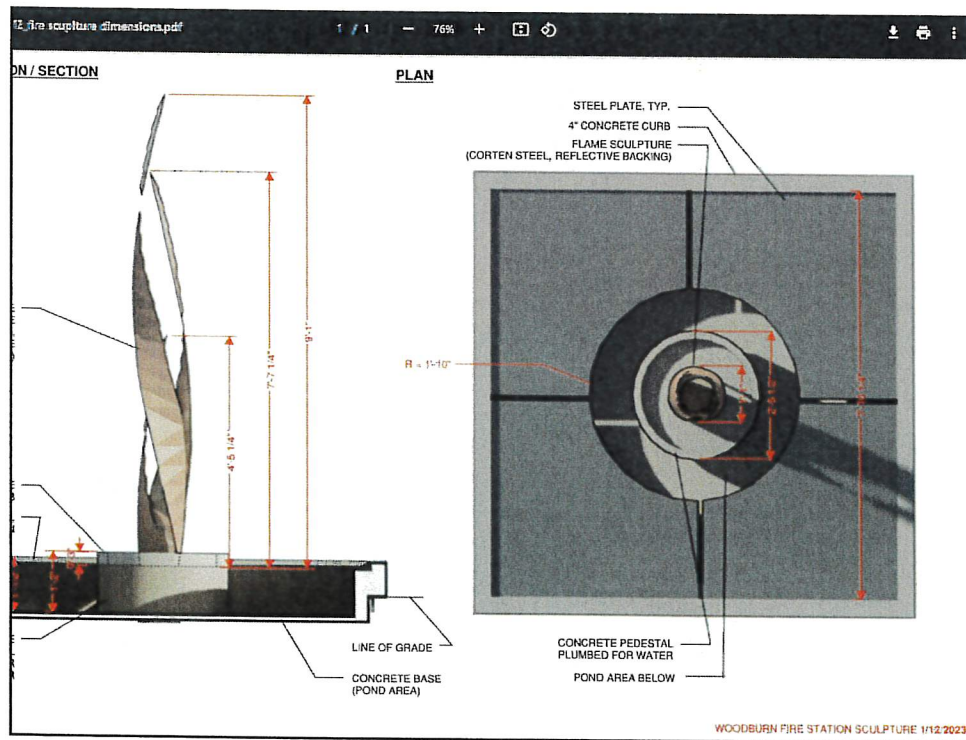


16






17



18

NEW FIRE APPARATUS	
<b>Fire Engines</b>	
Engine 20	\$692,064
Engine 23 - to be ordered	\$963,642
<b>Engine Totals:</b>	<b>\$1,655,706</b>
<b>Air Unit</b>	
Air Unit	\$543,579
<b>Air Unit Totals:</b>	<b>\$543,579</b>
<b>Brush Units</b>	
Brush Unit	\$245,972
Brush Unit - Gervais St. to be ordered	\$265,000
<b>Brush Unit Totals:</b>	<b>\$510,972</b>
<b>Tenders</b>	
2 Tenders	\$868,890
<b>Tenders Totals:</b>	<b>\$868,890</b>
<b>Command Vehicle</b>	
Command w/outfitting - to be ordered	\$140,000
<b>Command Totals:</b>	<b>\$140,000</b>
<b>Additional Accessories/Equipment Expenditures</b>	
Engine Access.	\$150,000
Brush Access.	\$115,236
Air Access.	\$25,000
2 Tenders	\$30,000
Misc. Spent	\$1,250
<b>Accessories &amp; Equipment Total</b>	<b>\$321,486</b>
<b>Total All Apparatus &amp; Equipment :</b>	<b>\$4,040,629</b>



**8 New Emergency Vehicles**

**32% of Bond Funds**

19



**Proposed Operating Levy Renewal**

**May Ballot**

20



## Operating Levy Renewal Key Facts

- The renewal of the fire district's levy at the current rate will maintain all existing firefighter and paramedic positions with no increase in taxes.
- The operating levy was first approved by voters in 2019 for the primary purpose of maintaining a minimum of (4) firefighters on-duty at all times including at least (1) paramedic with advanced life support skills. The fire district has met this commitment every day without exception since the start of the levy in 2019.
- Renewal of the levy is needed to maintain current staffing levels and allow the district to continue to add additional firefighters as the population of the fire district grows. Without additional firefighters and paramedics, life-saving action at medical emergencies, fires, and motor vehicle accidents would be delayed.
- The cost of the levy is \$0.35 cents per \$1,000 assessed property value. For a home assessed at \$200,000 about average for the fire district, the total cost is \$5.83 per month or about \$70 per year. The levy provides 17% of the district's annual operating budget.
- The total number of emergency responses for the fire district has increased 80 percent since 2010. With more than 2,000 residential units currently under development, the growth trend is expected to continue.
- Levy funds help the fire district to manage multiple emergency calls at the same time without having to wait up to 15 minutes for back-up from nearby fire districts. Overlapping emergency calls occur more than 500 times each year in the fire district.
- The average number of career firefighters in the western U.S. is about (1) firefighter per 1,000 residents. With a total of 16 firefighters and paramedics that serve 34,000 residents of Woodburn, Gervais and surrounding area, the ratio of firefighters is about 0.47 per 1,000 residents.

21

## Operating Levy History

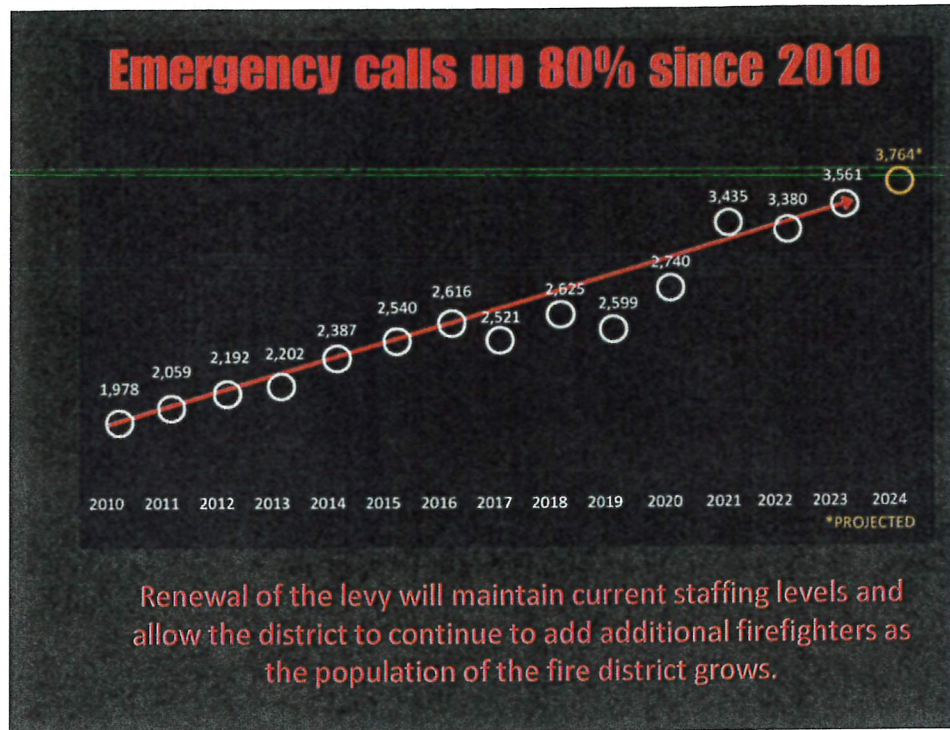
First Approved By Voters in 2019

4-Firefighter Constant Staffing

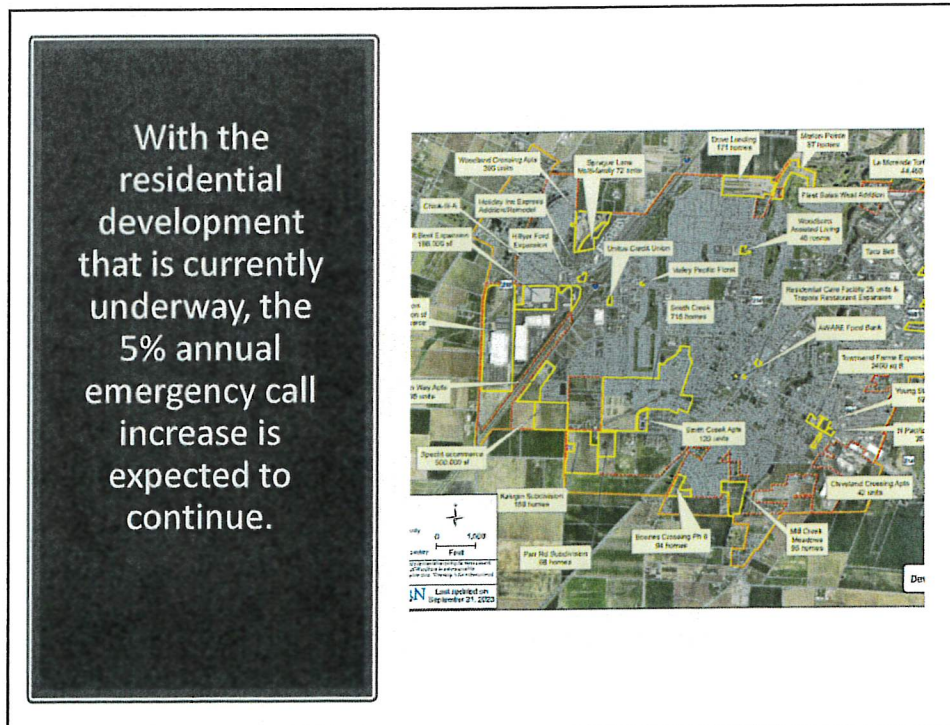
Paramedic On-duty Everyday

Advanced Life Support Equipment

22



23



24

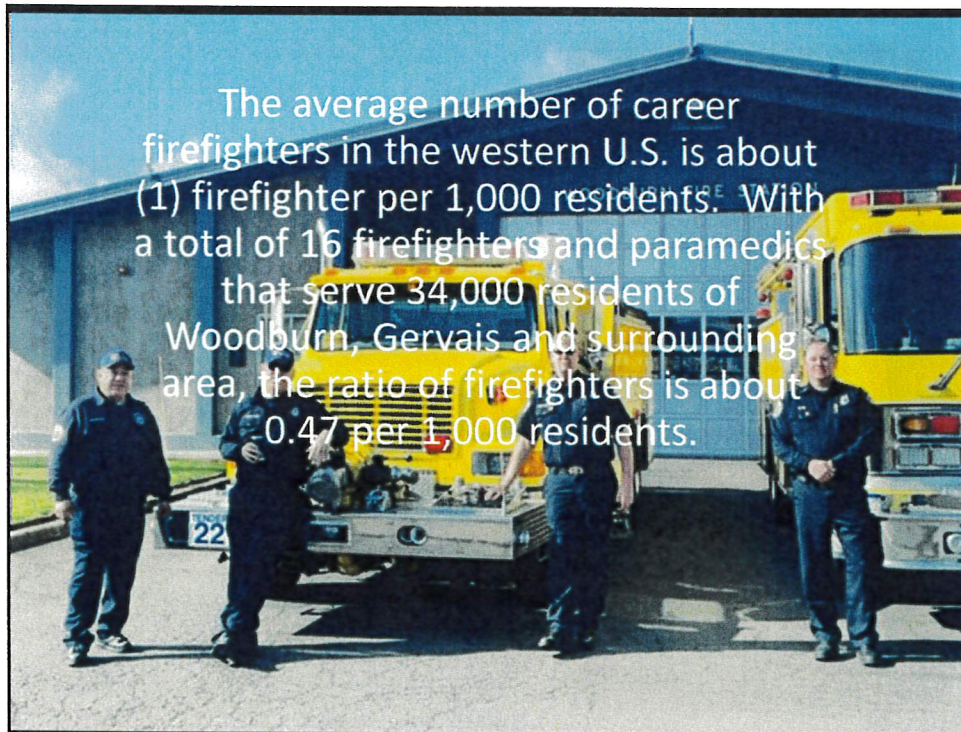


## Levy Cost

	HUBBARD	WOODBURN	AURORA	CANBY
Permanent Tax Rate	0.80	1.60	0.84	1.54
Capital Bond Levy	0.27	0.26	0.00	0.22
Local Option Levy	<u>0.99</u>	<u>0.35</u>	<u>1.51</u>	<u>0.95</u>
Total Tax Rate - Per 1,000/AV:	\$2.06	\$2.14	\$2.35	\$2.71

\$0.35 cents per \$1,000 assessed property value. For a home assessed at \$200,000, the total cost is \$5.83 per month or about \$70 per year.

25



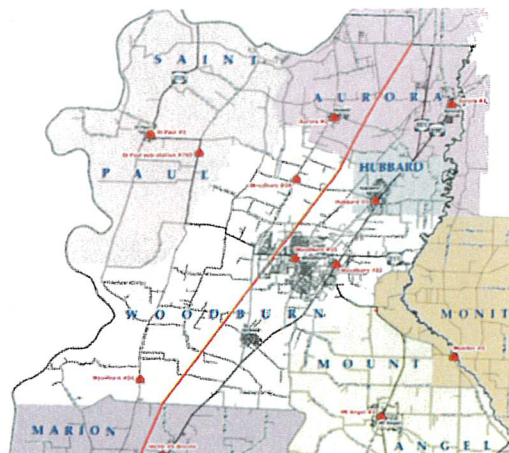
26



27

When overlapping emergency calls occur, response must come from neighboring fire districts with up to 15 minute response time.

With only (1) engine in service, overlapping emergency calls occur more than 500 times each year.



28





29





# Gervais

## Sustainability in Action

Cindy Rogers

Municipal Relationship Manager

Travis Comfort

Municipal Contract Administrator

1

## Oregon's Franchise System

In Oregon, most cities and counties have chosen to franchise their solid waste collection services. They do this under the authority of state law, found at Oregon Revised Statute 459A.085. A franchise is essentially a negotiated contract, known as a franchise agreement, between a municipality and a provider, that allows the provider to service customers in the city or county's jurisdiction. Other franchise agreements with municipalities are cable, telephone, sanitary sewer, electricity, natural gas, and ambulance services.

2



2



## Oregon's Franchise System

### Franchises benefits:

- ✧ ORS 459 grants service and reporting authority to Oregon Cities
- ✧ An increase in operational efficiency leading to a decrease in truck noise, street wear, energy waste, air pollution and public inconvenience.
- ✧ Operational efficiencies help to keep the rates lower.
- ✧ We help Gervais to meet DEQ's mandated Opportunity to Recycle requirements and annual reporting.
- ✧ Cities have an additional source of revenue, through a franchise fee.
  - Gervais's franchise fee is 7% on gross receipts (not revenue).
- ✧ Provides incentive for investment in solid waste equipment, facilities, sites and technology by the hauler.

3



3

## Gervais Service Facts

- ✧ Republic Services has 7 drivers servicing your city
- ✧ Drivers are at the curbs of 644 homes 8x each month
- ✧ Approximately 268,320 carts were picked in 2022



4



4

## Annual Cleanup

- ✳ When: April 20<sup>th</sup>, 2024
- ✳ Where: 592 4th Street, Gervais
- ✳ Time: 8:00AM to 2:00PM

5



5

## 4<sup>th</sup> of July



- ✳ Recycling
  - ✳ 6 x 95gallon
- ✳ Garbage
  - ✳ 1 x 4yard

6



6

## Gervais Service Facts

- ✳ 645 Single-family Customers
- ✳ 3 Commercial Customers
- ✳ 61 Industrial Hauls (Drop-boxes and Compactors)

7



7

## Residential Customers

### Residential

### Container Counts

- |                  |                            |
|------------------|----------------------------|
| ✳ 20 Gallon Cart | 25 (4% of customer base)   |
| ✳ 35 Gallon Cart | 206 (32% of customer base) |
| ✳ 65 Gallon Cart | 216 (33% of customer base) |
| ✳ 95 Gallon Cart | 197 (31% of customer base) |

8

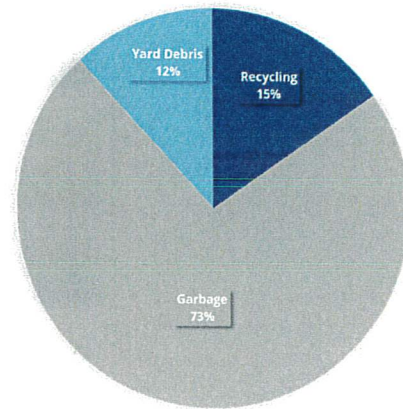


8



## Residential Material Hauled 2022

♻️ Recycling	141.7 tons, 15%
♻️ Garbage	669.9 tons, 73%
♻️ Yard Debris	108.5 tons, 12%



9



9

## Statement of Income

Financials	2022
Revenue	\$359,518
Franchise Fees	\$10,675
Cost of Operations	\$261,387
Gross Profit	\$87,456
Sales, General and Administrative	\$49,136
Operating Income	\$38,320
Income Taxes	\$14,301
Net Income	\$24,019

10



10

## Table of Expenses

Financials	2022
<i>Pass Through Expenses</i>	
Franchise Fees	\$10,675
Franchise Fees	\$10,675
<i>Cost of Operations</i>	
Disposal & Recycle	\$96,290
Labor	\$87,729
Truck & Equipment Expense	\$62,952
Other Direct Expense	\$14,415
Cost of Operations	\$261,387
<i>Sales, General and Administrative</i>	
Management & Administrative Expense	\$32,606
Other Overhead Expenses	\$16,529
Sales, General, and Administrative	\$49,136

11



11

## Current Curbside 'Roll Cart' Recycling

### Accepted Recycling List:

- \* Paper & Cardboard
  - \* No shredded paper or egg cartons.
- \* Plastic Bottles & Jugs
  - \* No cups, tubs (yogurt or cottage cheese containers), caps, jars, lids, pumps, clamshells, or plastic bags.
- \* Tin & Aluminum (metal) Cans
  - \* No lids please.



12



12

# Curbside 'Glass Bin' Recycling

## Accepted Recycling List:

- ✧ Household Batteries
- ✧ Latex Paint (no rusty cans)
- ✧ Used Motor Oil
- ✧ Antifreeze
- ✧ Glass Bottles & Jars
- ✧ Vegetable Cooking Oil



13



13

# Battery Recycling

## Batteries Accepted:

- ✧ Alkaline batteries
- ✧ 6-volt batteries
- ✧ 9-volt batteries
- ✧ Button cell batteries
- ✧ Rechargeable batteries
- ✧ Lithium batteries
- ✧ Laptop and cell phone batteries



## Batteries Not Accepted:

- ✧ Batteries that do not fit in the 1-quart bag
- ✧ Battery back-up (UPS) units
- ✧ Lead-acid batteries (ex. vehicle batteries)



14



14



## Covanta Marion Inc



4850 Brooklake Road NE, Salem, OR 97305

15



15

## Recycling Modernization Act



### Senate Bill 582

The Plastic Pollution and Recycling Modernization Act (RMA)

What the RMA means for Gervais



**Gervais**  
OREGON

16



16

## Looking Forward in 2024

Annual Update this Fall

Community Grant Opportunities

Recycling Modernization Act Updates

17



17



**REPUBLIC**  
SERVICES

Sustainability in Action

**Cindy Rogers**

Municipal Relationship Manager

**Travis Comfort**

Municipal Contract Administrator



Member of  
**Dow Jones  
Sustainability Indices**  
Powered by the S&P Global CSA

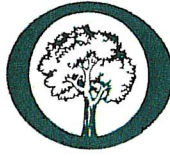
**Sustainability Yearbook**  
Member 2023  
**S&P Global**



18







## Celebrate Arbor Month

*Whereas,* In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a Special day be set aside for the planting of trees, and

*Whereas,* this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

*Whereas,* Arbor Day is now observed throughout the nation and the world, and

*Whereas,* trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life giving oxygen, and provide habitat for wildlife, and

*Whereas,* trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

*Whereas,* trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

*Whereas,* trees, wherever they are planted, are a source of joy and spiritual renewal.

*Now, Therefore, I,* Annie Gilland, Mayor of the City of  
Gervais, Oregon, do hereby proclaim  
April 2024 as



## Arbor Month

In the City of Gervais, Oregon, and I urge all citizens to celebrate Arbor Month and to support efforts to protect our trees and woodlands, and

*Further,* I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

*Dated this* 4th day of April  
Mayor





**CITY OF GERVAIS, OREGON  
RESOLUTION NO. 24-001**

**A RESOLUTION AUTHORIZING TO APPROVE CHANGE ORDERS UP TO \$20,000 FOR  
THE WASTEWATER TREATMENT PLANT (WWTP) IMPROVEMENT PROJECT TO  
CITY MANAGER AND UTILITY SUPERINTENDANT**

**WHEREAS**, there will be times when we need to move quickly, and waiting until the next city council meeting will impact the project

**WHEREAS**, delays in decision making such as waiting for the next City Council meeting can potentially shut the project down

**WHEREAS**, the contractor could then claim delay cost as they still incur cost during a waiting period

**NOW, THEREFORE, THE CITY OF GERVAIS RESOLVES AS FOLLOWS:**

1. Roger D. Brown and Kyle Jentzsch have the authority to approve change orders up to \$20,000 for the WWTP improvement project

Duly passed by the City Council of the City of Gervais this 4<sup>th</sup> day of April, 2024

\_\_\_\_\_  
Annie Gilland, Mayor

ATTEST:

\_\_\_\_\_  
Roger D. Brown, City Manager Pro Tem



**CITY OF GERVAIS, OREGON  
RESOLUTION NO. 24-002**

**A RESOLUTION AUTHORIZING RUEBEN LAW ENFORCEMENT CONSULTING (RLEC)  
IN PROVIDING PROFESSIONAL SERVICES TO THE CITY OF GERVAIS**

**WHEREAS**, to provide ongoing mentorship, advice and instruction to the Gervais Police Department

**WHEREAS**, to conduct an inventory and audit of the Gervais Police Department

**WHEREAS**, to review all Policies, Guidelines and Procedures of the Gervais Police Department

**NOW, THEREFORE, THE CITY OF GERVAIS RESOLVES AS FOLLOWS:**

To use the services of RLEC consulting firm

Duly passed by the City Council of the City of Gervais this 4<sup>th</sup> day of April, 2024

---

Annie Gilland, Mayor

ATTEST:

---

Roger D. Brown, City Manager Pro Tem



## AGENDA REPORT

To: Mayor Gilland and City Council

From: Ed Trompke, City Attorney

Date: April 2, 2024

Reason: Resolution No. 24-003 Opting In to Recreational Immunity

---

### Background:

In 1995, the Oregon Legislature enacted the Oregon Public Use of Lands Act which declared the State of Oregon's public policy of encouraging land owners to make their land available to the public for recreational purposes, which included, but was not limited to, outdoor activities such as hunting, fishing, swimming, boating, camping, picnicking, hiking, nature study, outdoor educational activities, water skiing, winter sports, viewing or enjoying historical, archaeological, scenic or scientific sites or volunteering for any public purpose project. The legislation also provided a limitation of liability to the land owner for any personal injury, death, or property damage arising out of the use for recreational purposes.

In 2011, the Oregon Legislature enacted HB 2865 which established that any personal injury or property damage resulting from use of a trail that is in a public easement or in an unimproved right of way, or from use of structures in the public easement or unimproved right of way, does not give rise to a private claim or right of action based on negligence against a city (including its officers, employees, or agents) with a population of 500,000 or more.

It further provided that cities with populations less than 500,000 may, via ordinance or resolution, opt in to limit its liability for the same uses. These limitations on liability from private causes of action did not extend to persons receiving compensation for providing services, assistance or advice that led to the personal injury or property damage resulting from gross negligence or reckless, wanton, or intentional misconduct, or where the person is strictly liable without regard to fault. Several cities throughout the state adopted resolutions or ordinances limiting liability under this provision.

Last year, the Oregon Court of Appeals heard a case involving a slip and fall claim against the City of Newport where an individual was injured while walking their dog on an improved trail on the way to the beach. In *Fields v. City of Newport*, the trial court initially found in favor of the City as a result of recreational immunity. However, the Court of Appeals reversed and remanded the case back to the trial court to address the issue of material fact as to whether the individual's principal purpose using the trail was for accessing the beach or for recreational purposes. The city appealed the decision to the Oregon Supreme Court which denied review.

The Oregon Court of Appeals' decision effectively removed the concept of recreational immunity from cities as an individual could bring a suit against a city under the claim the individual's principal purpose was not recreation. As a result of this decision, SB 1576A was brought before the Oregon Legislature during its most recent short session. This bill was designed to temporarily maintain the recreational

immunity provided to cities by revising the definition of "recreational purposes" to specifically include walking, running and bicycling. SB 1576A passed both chambers and was signed on March 27, 2024 by the Governor. The bill is effective immediately upon passage in order to preserve public peace, health and safety.

Presented before Council is a resolution to formally opt-in to the recreational immunity provided for within ORS 105.668(3). This is presented as a resolution since, as mentioned, SB 1576A is a temporary measure and sunsets on January 2, 2026. Therefore, any ordinance or resolution adopted by a city will not be effective after January 2, 2026.

The Oregon Legislature has created a task force to craft a permanent solution during next year's legislative session.

**Motion:** I move to pass Resolution No. \_\_\_\_\_ opting in to the recreational immunity provided in ORS 105. 668.

**Attachments:**

Resolution No. \_\_\_\_\_



## Gervais Code Enforcement Complaint Form

PO Box 329 / 592 4th Street, Gervais, Oregon 97026  
(503) 792-4900 fax: (503) 792-3791

Thank you for contacting Gervais Code Enforcement. Complaints are usually handled in the order received. It may take up to two weeks before an inspection is conducted depending on the number of complaints currently on file. Health and safety issues take precedence over all other complaints and are usually investigated as soon as possible. Clearing a violation may take 90-120 days, depending on the level of voluntary action on the part of the violator. If you have any questions, please call our office Monday through Friday, 8:00 a.m. to 5:00 p.m.

To complete this form, fill in the boxes below. Complaints can be mailed to the address listed above, faxed to the number listed above, or dropped off at our office listed above.

### Complainant Information ( \* denotes required information)

\*Name: \_\_\_\_\_

\*Address: \_\_\_\_\_

\*City/State Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Do you want to be contacted and kept informed of the investigation? Yes      No

### Location Information

Owner/Occupant (if known): \_\_\_\_\_

\*Location of violation (if no address, location of property, i.e. northwest corner of Main and Jones):  
\_\_\_\_\_  
\_\_\_\_\_

How long has the violation existed: \_\_\_\_\_

\*Summary of Complaint (give specific description and details of complaint such as type of debris; vehicle licenses number, etc.)

---

---

---

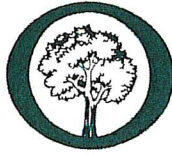
---

---

(cont. on back side)

For Office Use Only		
How was the complaint received? <input type="checkbox"/> Phone <input type="checkbox"/> Mail <input type="checkbox"/> Delivered	Officer Assigned: _____ Remarks: _____ _____ _____ _____	Case #: _____
Date received: _____		

The City's enforcement-related confidentiality policy is based on State of Oregon public records statutes. Enforcement records are public records but the name of the complainant is exempt from disclosure. The exemption is entitled: "Information submitted to a public body in confidence." As such, any record that identifies a complainant is exempt from disclosure. However, notes in a file or a complaint letter that does not specifically identify the complainant may be disclosed. The City will disclose the complainant's name if that person is going to be a witness in an enforcement case the "right of cross examination" requires this provision.



## Celebrate Arbor Month

*Whereas,* In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a Special day be set aside for the planting of trees, and

*Whereas,* this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

*Whereas,* Arbor Day is now observed throughout the nation and the world, and

*Whereas,* trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life giving oxygen, and provide habitat for wildlife, and

*Whereas,* trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

*Whereas,* trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

*Whereas,* trees, wherever they are planted, are a source of joy and spiritual renewal.

*Now, Therefore, I,* Annie Gilland, Mayor of the City of  
Gervais, Oregon, do hereby proclaim  
April 2024 as



## Arbor Month

In the City of Gervais, Oregon, and I urge all citizens to celebrate Arbor Month and to support efforts to protect our trees and woodlands, and

*Further,* I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

*Dated this* 4th day of April

Mayor





**CITY OF GERVAIS, OREGON  
RESOLUTION NO. 24-001**

**A RESOLUTION AUTHORIZING TO APPROVE CHANGE ORDERS UP TO \$20,000 FOR  
THE WASTEWATER TREATMENT PLANT (WWTP) IMPROVEMENT PROJECT TO  
CITY MANAGER AND UTILITY SUPERINTENDANT**

**WHEREAS**, there will be times when we need to move quickly, and waiting until the next city council meeting will impact the project

**WHEREAS**, delays in decision making such as waiting for the next City Council meeting can potentially shut the project down

**WHEREAS**, the contractor could then claim delay cost as they still incur cost during a waiting period

**NOW, THEREFORE, THE CITY OF GERVAIS RESOLVES AS FOLLOWS:**

1. Roger D. Brown and Kyle Jentzsch have the authority to approve change orders up to \$20,000 for the WWTP improvement project.

Duly passed by the City Council of the City of Gervais this 4<sup>th</sup> day of April, 2024

\_\_\_\_\_  
Annie Gilland, Mayor

ATTEST:

\_\_\_\_\_  
Roger D. Brown, City Manager Pro Tem



**CITY OF GERVAIS, OREGON  
RESOLUTION NO. 24-002**

**A RESOLUTION AUTHORIZING RUEBEN LAW ENFORCEMENT CONSULTING (RLEC)  
IN PROVIDING PROFESSIONAL SERVICES TO THE CITY OF GERVAIS**

**WHEREAS**, to provide ongoing mentorship, advice and instruction to the Gervais Police Department

**WHEREAS**, to conduct an inventory and audit of the Gervais Police Department

**WHEREAS**, to review all Policies, Guidelines and Procedures of the Gervais Police Department

**NOW, THEREFORE, THE CITY OF GERVAIS RESOLVES AS FOLLOWS:**

To use the services of RLEC consulting firm

Duly passed by the City Council of the City of Gervais this 4<sup>th</sup> day of April, 2024

\_\_\_\_\_  
Annie Gilland, Mayor

ATTEST:

\_\_\_\_\_  
Roger D. Brown, City Manager Pro Tem





**CITY OF GERVAIS, OREGON  
RESOLUTION NO. 24-003**

**A RESOLUTION OPTING IN TO THE RECREATIONAL IMMUNITY PROVIDED IN ORS  
CHAPTER 105 AND SB 1576**

**WHEREAS**, ORS 105.668(2) provides to cities with a population of 500,000 or more immunity from liability for personal injury or property damage against cities including their officers, employees, or agents, adjacent property owners, and certain nonprofit groups and their volunteers resulting from use of trails or structures in a public easement or in an unimproved right of way, by a user on foot, on a horse or on a bicycle or other nonmotorized vehicle or conveyance; and

**WHEREAS**, ORS 105.668(3) authorizes cities with populations of less than 500,000 to opt in to the immunities provided in ORS 105.668(2) by adoption of an ordinance or resolution

**WHEREAS**, the City desires to opt in to the immunities provided by ORS 105.668 to further the public interest by protecting and supporting efforts and activities of the City.

**NOW THEREFORE, THE CITY OF DUNDEE RESOLVES AS FOLLOWS:**

**Section 1.** The Gervais City Council hereby opts in to the immunity from liability for personal injury or property damage resulting from the use of trails or structures in a public easement or in an unimproved right of way provided by ORS 105.668.

**Section 2.** This Resolution shall become effective immediately upon passage.

**PASSED BY THE CITY COUNCIL this 2nd day of April 2024.**

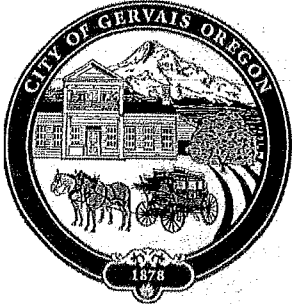
**APPROVED:**

\_\_\_\_\_  
Annie Gilland, Mayor

**ATTEST:**

\_\_\_\_\_  
Roger D Brown, City Manager Pro Tem





# CITY OF GERVAIS

592 Fourth Street/PO Box 329, Gervais, Oregon 97026-0329  
503-792-4900 Administration Office; 503-792-3791 Fax

## Public Works April 2024 Council Report

March is a transitional month regarding the weather with more sun coming every day, this always kicks off the busy season with Public Works. On top of the normal day to day operations we incorporate mowing, trimming, and spraying throughout every week. We were fortunate to have a good break in the weather to get a jumpstart on a lot of these duties. The water has been turned back on at Black Walnut Park allowing us to open the bathroom for all to use early again this year. This is the second year in a row that it has been opened over a month earlier than typical. Last year there was substantial vandalism that forced the bathroom to be shut down for a period of time, but modifications were made during the Winter to prevent the same type of damage. As always, the park is open for all to use and the city encourages so.

Early morning Sunday March 10<sup>th</sup> there was a power outage around 4:00 AM, Hunter and I responded to make sure everything switched over to generator power without any issues. The backup generator at our French Prairie Lift Station failed to start when prompted to do so. This is critical as the generator powers the pumps that move all the sewage from about 25% of the city away to its next location. The generator was diagnosed and required a repair technician immediately to avoid a sewer overflow or damage to neighboring homes. The repair technician came out quickly after locating the part and installed it, bringing the power to the station back online, avoiding any further issues. We test run our generators weekly and this seemed to be a fluke problem. All other backup power around the city performed well.

Wednesday March 20<sup>th</sup>, we hosted a meeting with several representatives from COGS as well as our engineer from Tetra Tech. The meeting was surrounding the topics of permitting and land use changes within Gervais. Several staff members attended it and took away valuable information that will be of great use moving forward. With so many construction projects getting underway this will certainly assist and streamline the process. We hope to have a short follow-up meeting in the future to finish a couple of processes and hope all staff who deal with these situations will attend.

The City-Wide Cleanup will be held on April 20<sup>th</sup> this year. This annual event has been very successful these past several years in removing large amounts of debris from the city. We are hoping for a large turnout of volunteers to assist with all the logistics. Public Works will have equipment on site to assist with larger items that may hold up the line of residents waiting to unload. This event generally coincides with the National Arbor Day celebration that falls on the 26<sup>th</sup> this year. Every year for Arbor Day, Gervais participates in a tree exchange with our sister city, Aumsville. Arrangements have been made for the tree exchange to take place in Gervais this year, possibly on the 15<sup>th</sup> or the 17<sup>th</sup>. This year will be an informal event as their Public Works team will also be visiting the construction site at our wastewater treatment plant to

observe the progress of the project. This year we will be planting at least four trees around the city and I have been taking suggestions for locations to plant. There are several water access points throughout the city allowing a broader range of places to plant them.

We will be removing a couple of trees from around the city in the coming month(s) due to traffic safety concerns as well as the overall health of the trees. Being that we are a Tree City, we will be planting a new tree for every tree removed to keep the balance, this is not required but something I have started for our city. Over the past several years, some of the oldest trees in Gervais needed to be removed due to storm or insect damage and it is starting to show as there aren't many older large trees remaining on public property. By replanting at least one new tree for every tree removed we can, in time, regain the benefits of those missing trees.

To finish up, R&G Construction has moved equipment on site and has started work on the Wastewater Treatment Upgrade Project. The work is concentrated around the fine screen portion that will be attached to our existing headworks. This involves saw cutting into the existing cement structure to make the connection. During the active work, the sewer pumps needed to be shut off for periods of time. The levels needed to be monitored closely to avoid any type of service issues in the city. Now that the work has begun, this would be a good time to arrange a group photo at the construction site. Safety vests and hard hats are now available. Please let me know what day and time will work so I can verify the work activities on that day will allow a larger group of people without interfering operations.

Kyle Jentzsch  
Gervais Public Works





## **March 2024 Council Report**

Reporting period between February 1, 2024, through February 29, 2024

<b><u>Calls of service/CAD reports</u></b>	<b><u>131</u></b>
<b><u>Arrests</u></b>	<b><u>1</u></b>
<b><u>Traffic/Citable Offenses</u></b>	<b><u>26</u></b>
<b><u>Traffic written warnings</u></b>	<b><u>27</u></b>
<b><u>Assist Agencies outside City limits</u></b>	<b><u>2</u></b>
<b><u>Assist Agencies inside City limits</u></b>	<b><u>22</u></b>

**Calls for Service\CAD reports:** You might notice these are the same numbers from last month, since last month's meeting was held later in the month, we had the February numbers available and are usually behind by a month. With that said we are back to normal and will be using February's data since March's data was not available at the time of the report.

**Police Officer Position:** The posting for a Police Officer was added to the City of Gervais website on March 15th, 2024 with the first round of applications due by March 29<sup>th</sup>, 2024. The applications will be reviewed and qualified candidates will be invited for interviews.

### **D.A.R.E**

We were able to start the D.A.R.E. classes we had just completed at Gervais Elementary School with Sacred Heart School. The students were excited to learn and even liked some, but not all of my dad's jokes. I will be reaching out to Gervais Middle School this month to see about doing some stand-alone/enhancement D.A.R.E classes. Stand-alone/Enhancement classes are lessons designed to cover specific topics such as Online and Social Media Safety, Vaping Prevention, and other age-appropriate lessons. There are stand-alone classes available from kindergarten groups through high school. These classes will allow us to address specific issues Gervais's Students might be experiencing, helping give them another tool to make better decisions.

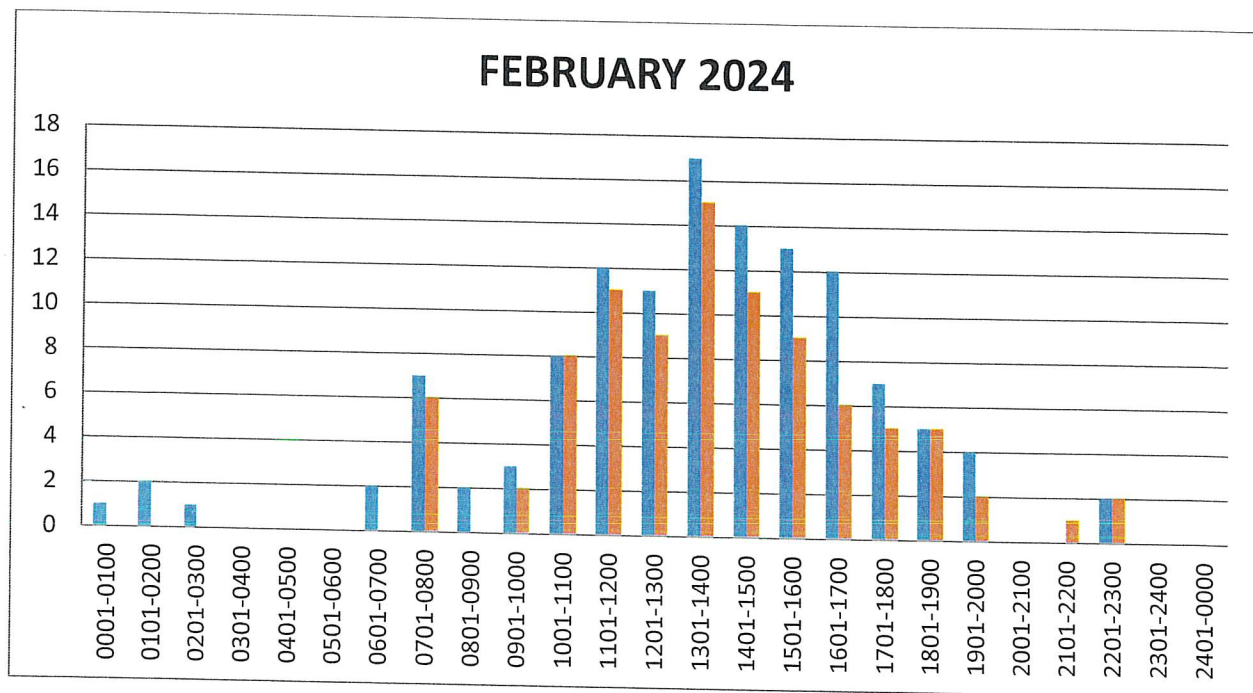
**Training:** While we are talking about learning, I would like to share some of the trainings that your Gervais Police Officers and staff have attended recently. We have been striving to provide continual

training to the Gervais Police Department Staff. In pairing with other local agencies, we have been able to attend some very good valuable training. Several officers were involved in a Breaching Training at Mt. Angel Fire District. This training allowed us to learn and better understand ways to enter buildings and residences when the situations were urgent and traditional ways would not work. We were then involved in an Active Shooter Drill with the Mt. Angel Police Department. This drill was valuable for all of us better preparing us if unfortunately, an active shooter situation arises. It was invaluable to work with another agency that would most likely be our first cover agency if such an incident occurred here. This helped us to understand how another agency would respond to these types of incidents and strengthen our ability to work with them as a cohesive unit.

We also attended a legal update that was sponsored by the Silverton Police Department. This legal update was presented by the Marion County District Attorney's Office. This valuable training helps us to learn the ever-changing laws that affect the citizens daily. We were also able to learn about the Law Enforcement Assisted Diversion Program (LEAD). Knowing more about this program has allowed our officers to learn a valuable tool that will help us provide more assistance to community members in need. Mt. Angel and Silverton Police Departments reached out to the Gervais Police Department and invited us to the above training. The training courses were provided free of charge and were valuable to us.

Administrative Assistant Crystal Camacho has attended several training courses in the past couple of months that will help allow the Gervais Police Department to provide a more professional and efficient response to the needs of the community as we grow.

In closing, I would like to thank the Citizens of Gervais for their patience and understanding as the Gervais Police Department continues to do our best to improve as we overcome some obstacles that are in front of us.



#### Chart Key

Blue stands for Calls for Service

Orange stands for Officer Initiated Calls

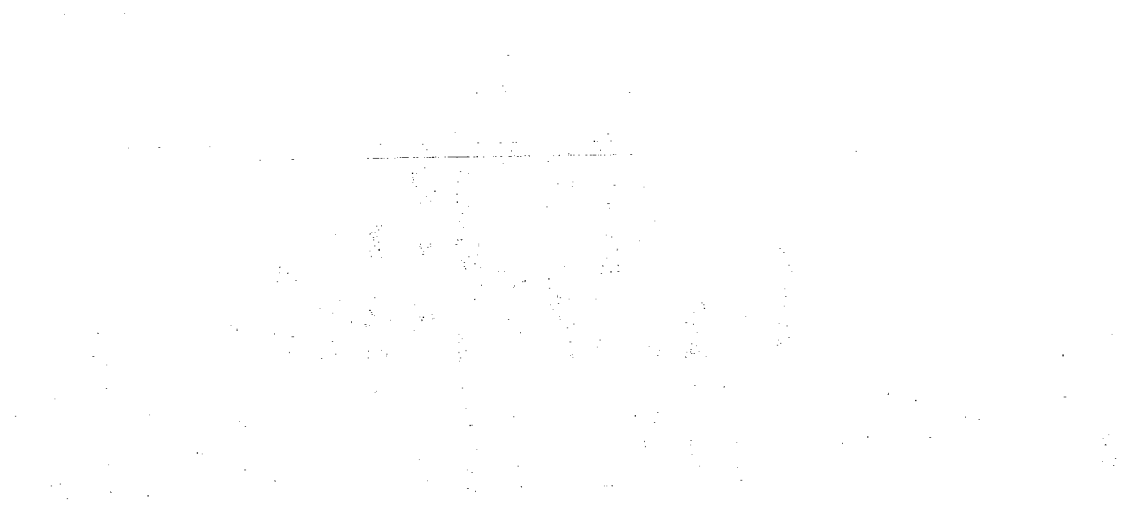
On the left side of the chart, numbers 0 to 18 stand for the number of calls.

Bottom of the chart, the numbers stand for the time of calls in military time.

Thank you for your support.

Lieutenant Timothy S. West Gervais Police

# THEORY OF THE EARTH



The diagram shows the relative positions and thicknesses of the layers of the Earth's interior. The layers are labeled as follows: CRUST, MANTLE, and CORE. The MANTLE is divided into an upper part and a lower part. The CORE is divided into an inner part and an outer part.

The diagram shows the relative positions and thicknesses of the layers of the Earth's interior.

The diagram shows the relative positions and thicknesses of the layers of the Earth's interior.

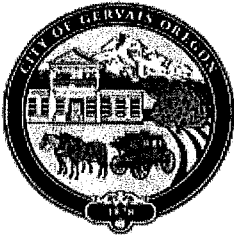


### **April 2024 Administrative Report**

- The Accounting closing project is nearly complete through February 29, 2024. Sarah Johnson, CPA informs me that there are several journal entries to be made to true up. Books for March will be closed on April 4.
- Public Works workshop was held March 20 in conjunction with Mid - Willamette Valley Council of Governments, Gordon Munro, City Engineer, and City Staff. Quite a lot accomplished to add structure to our Building Permitting processes. Lots of ideas how to utilize new website that will be implemented soon.
- PERS make up payment has been made.
- PERS makeup payment \$108,014.80 as noted on March Payments report.
- Need to set first meeting of the budget committee including Council to attend educational session led by Sarah Johnson, CPA to refresh those that have been through the process and educate those that are new. We now have adequate data available via books will be formally closed through March in early April.
- Waste Water Treatment Plant payment float. The process is we pay the Contractor, ARPA reimburses us within about 14 days. There will be a series of draws and repayments from/to our Government Pool account. That has \$4.4MM balance. We will have adequate liquidity to manage this process.
- SDC and various fees in general have not been updated since 2018. The City Manager is supposed to update January of each year. That process has not been accomplished for 6 years. SDC basis is to be adjusted by December of previous year Seattle CPI. Will put together suggested changes for Council review prior to implementation.







## Payments March 1-27

3/27/24 Unreconciled cash balance \$105,921.44

Name	Description	Amount
AFLAC	Employee Health Insurance Total	\$ 31.20
Amazon Capital Services	Supplies Total	\$ 287.83
Backflow Management	Water Works Total	\$ 7.50
'CITY OF KEIZER	Dan Marshall Training Total	\$ 50.00
City Sweepers LLC	Street Sweeping Total	\$ 2,175.00
DataVision Cooperative	Phone and Internet Total	\$ 911.93
Davison Auto Parts	Public Works Parts Total	\$ 1,909.64
Elan Financial Services	Misc Total	\$ 4.76
F&W Fence Company Inc.	Fence Repair Total	\$ 81.70
Ferguson Waterworks	Water Works Total	\$ 702.05
FIORDALISO TIMOTHY	Water Service Refund Total	\$ 96.59
Fraternal Order of Police	Union Dues Total	\$ 604.00
G.W. Hardware	Public Works Parts Total	\$ 99.41
Garten Services Inc.	Office Expense Total	\$ 70.00
Gervais School District	Excise Tax Payment/Winfield Total	\$ 48,337.59
HRA VEBA Plan	Employee Benefits/FSA Total	\$ 245.00
Jordan Ramis PC	Legal Fees Total	\$ 4,130.06
Jubitz Corp.	Fuel Total	\$ 1,926.58
Laura Cliffton	Expense Reimbursement/Palmer Trial Total	\$ 148.81
Long Bros. Building Supply	Public Works Parts Total	\$ 159.84
Lori L. Coukoulis	Court Judge Total	\$ 360.00
Marion County Treasurer	Building Permit Total	\$ 89.75
Mid-Willamette Valley COG	Monthly Dues Total	\$ 1,138.50
Mission Communications LLC	Water Works Monitoring Services Total	\$ 1,984.97
Mission Square - 306717	Employee Retirement Expense Total	\$ 1,510.00
Moonlight Maintenance	Janitorial Total	\$ 528.00
NW Natural Gas	Natural Gas Total	\$ 198.72
One Call Concepts	Monthly Fee Total	\$ 8.40
Oregon Department of Revenue	Quarterly SUTA Total	\$ 414.02
Pacific Office Automation	Copy Machines Total	\$ 155.36
Pitney Bowes	Postage Total	\$ 105.00
Roger Brown	Mileage/Post Office and other Total	\$ 266.33
Silverton Sand & Gravel	Public Works Gravel Total	\$ 700.00
Tetra Tech Inc.	City Engineer Total	\$ 1,971.55
Theresa Schlechter- TNT Nursery	Flowers for the City Total	\$ 1,820.00
Tyler Technologies Payroll Sequence Training	Training Total	\$ 1,120.00
USDA - Rural Development	Loan Payment Total	\$ 19,996.00
Verizon Wireless	Cell Phone Service Total	\$ 673.12
Waterlab Corp.	Water Works Testing Total	\$ 830.00
Xylem Dewatering Solutions Inc.	Water Works Parts Total	\$ 468.00
	Grand Total	\$ 118,608.34

Significant ACH Transfers		
Payroll and Associated State and Federal Taxes	\$	61,021.62
Sarah Johnson, CPA	\$	5,367.25
PERS Payment 6 Months	\$	108,014.80
Total Significant ACH Transfers	\$	174,403.67
 Total Payments	 \$	 293,012.01



## CITY OF GERVAIS ACCOUNTING INTERNAL CONTROL MATRIX PRESENTED BY FUNCTION AND POSITION

Accounting Internal Controls are designed to be implemented in both Private Sector and Governmental Accounting environments. The purpose of this implementation is two fold. First to provide mechanisms that are intended to protect the assets and reporting integrity of the organization by assigning processes to specific positions. This segregation of duties ensures that there have been considerations to prevent one person having total control over an Accounting function. This is not to imply that dishonesty is the sole reason for installing controls. Two things to consider, in Private Sector and Government Sector environments routine audits are performed by independent Auditors that are required to be Certified Public Accountants that have adequate credentials and have passed rigorous testing to earn their certifications. Second to consider is that implementing Internal Controls and enforcing them protects all employees involved by providing assurance that if they perform within guidelines they are not subject to question. If they do not perform within guidelines that behavior can be of concern.





Utility Billing



**Function: Utility Billing Frequency: Monthly**

- Step 1
- Step 2
- Step 3
- Step 4

**Function: Utility Billing Shut Offs: Monthly**

- Step 1
- Step 2
- Step 3
- Step 4
- Step 5

**Incoded permissions**

**Tasks**

**Clerk**

Prepare process within Incode to generate and print billings for mailing  
Mark postage on bills created  
Mail bills

Analyze accounts to determine customers to receive notices.  
Create Notices  
Mail notices

Note accounts that have not paid and notify Public Works to deliver notices  
Analyze accounts that have not paid after delivery of notices. Provide Public Works to shut off.

Create Bills, Print bills, Create Notices, Post shut offs

**Admin Assistant City Manager**

Create Bills, Print bills, Create Notices, Post shut offs  
Create Bills, Print bills, Create Notices, Post shut offs



Utility Billing Collections



Function: Utility Billing Cash Collections. Frequency: Daily

Step 1

Tasks

Clerk

Accept credit card, debit card, checks and cash payments from customers. Provide system documentation in the form of cash, credit card and other payment forms for daily balance recon and bank deposit

Admin Assistant

Accept credit card, debit card, checks and cash payments from customers. Provide system documentation in the form of cash, credit card and other payment forms for daily balance recon and bank deposit

City Manager

Accept credit card, debit card, checks and cash payments from customers. Provide system documentation in the form of cash, credit card and other payment forms for daily balance recon and bank deposit

Incode permissions

Accept payments via Credit Card, Debit Card, Cash and manual credit card/debit card and any other payment methods.

Accept payments via Credit Card, Debit Card, Cash and manual credit card/debit card and any other payment methods.

Accept payments via Credit Card, Debit Card, Cash and manual credit card/debit card and any other payment methods.



Daily Bank Deposit



Function: Bank Deposit. Frequency: Daily

Step 1

Step 2

Step 3

Step 4

Step 5

Incude permissions

Tasks

Clerk

Empties outside drop box, opens envelopes and records transactions. Opens mail and records those transactions.  
Code any receipts that are not related to utility payments.  
Reconcile and balance daily cash and credit card receipts and prepare bank deposit.

Admin Assistant

Perform clerk tasks in the absence of the clerk, i.e. sick or time off.

City Manager

Verify cash, checks and credit card receipts on reconciliation sheet.  
Take deposit to the bank,

Accept payments via Credit Card, Debit Card, Cash and manual credit card/debit card and any other payment methods.

Accept payments via Credit Card, Debit Card, Cash and manual credit card/debit card and any other payment methods.

Cash posting for items other than utility

Cash posting for items other than utility payments

Cash posting for items other than utility payments





Accounts Payable



Function: Utility Billing Cash Collections. Frequency: Daily

Tasks

Clerk

Open incoming mail and deliver invoices received to Admin Assistant

Admin Assistant

Add any new vendors as 1099 vendors. Code invoices and forward to City Manager or appropriate department head for approval  
Forward approved invoices to City Manager for review

City Manager

Review approved invoices and return to Admin Assistant.

Enter approved invoices in Accounts Payable system. Retain all documentation. Produce an AP aging report and highlight checks to be produced by Clerk

Produce checks as outlined on AP Aging provided by Admin Assistant. Attach all documentation to checks in preparation for signature.

Return checks and documentation to City Manager

City Manager and one additional authorized signer sign checks. The checks and documentation are returned to the clerk

Clerk packages checks for mailing and files documentation and stubs in Admin Assistant filing cabinet.

Encode permissions

Full Rights to Utility Billing and Cash Collections

Full Rights to Utility Billing and Cash Collections

Full Rights to Utility Billing and Cash Collections



Monthly Payroll



Function: Monthly Payroll. Frequency: Monthly

Step 1

Tasks

Clerk

Assemble time cards and verify math is presented correctly. Confirm that each card has been signed by appropriate department head, i.e. Police Chief, Public Works, and City Manager. If not signed, return to department head for approval. Initial each card as verified. Deliver completed package to City Manager

Admin Assistant

City Manager

Step 2

Step 3

Step 4

Step 5

Step 6

Step 7

Step 8

Step 9

Step 10

Step 11

Incode permissions

Umpqua Bank Permissions

Review completed package and pose any questions to department heads as needed.

Add any new employees; make any approved changes to compensation levels and other considerations

Initialize payroll batch in Incode  
Run leave accrual routine and load salary components  
Enter the entire sequence of time recording.

Review completed payroll outputs and approve process. Print ACH payment payroll stubs to employees in preparation of bank transmission.

Attest

Attest

Put employee Direct Deposit pages in envelopes and distribute to department heads to be delivered to employees.

Payroll tax and Payroll AP process to be completed 3 business days after payroll ACH process is completed

Attest

Attest and notify Mayor and Council this step has been accomplished.

PERS filing and \$ transfer within 5 business days of ACH transfer to employees

Full rights to all Payroll functions

None

Full rights to all Payroll functions

Full rights to manage ACH transfers with authority for all transaction types.





Clerk of the Court



**Function:**Clerk of the Court. **Frequency:** Monthly

**Incode permissions**

Process to be verified by Court Clerk Abby Fernandez prior to presentation to Council

**Tasks**

**Clerk**

Prepare Docket for City Judge. Collect fees from verdict(s), citations. File closed cases/citations. Maintain other records and perform duties as directed by City Judge.

**Admin Assistant**

**City Manager**



Month End Accounting Close



Function: Month End Close. Frequency: Monthly

Step 1

Tasks

Clerk

Listing provided by Admin Assistant of Debit Card transactions. Code and prepare Excel Spreadsheet of transactions to be recorded by Admin Assistant including receipts attached to the Spreadsheet. Initialed by clerk as complete and accurate record.

Admin Assistant

Step 2

Debit card transactions entered into InCode by Admin Assistant

Attest

Step 3

Credit Card statements provided by Admin Assistant to be classified and Summarized by Account and Card number in Excel Spreadsheet. Forwarded to Admin Assistant for entry. Initialed by clerk as complete and accurate record.

Step 4

Credit card transactions entered into Incode by Admin Assistant

Attest

Step 5

Follow the steps in the month end control list for procedures. See Month End task list on the Month End Close Task List tab in this document.

Step 6

After appropriate review publish Monthly financial statements for Mayor and Council review.

Incode permissions

None

Full Rights to all Incode Systems

Full Rights to all Incode Systems



Below is a snapshot of a Closing Check List adapted from a prior life that I developed for closing controls. It is interactive and very modifiable to suit our purposes.

**City of Gervais, OR**  
**Month End Closing Checklist**  
**Month Ending**

10/31/2023



Section	#	Frequency	Day	Issue	Activity Description	Owner	Progress	Due Date
General	G-1	Monthly	-4	None	Meeting to go over upcoming close, cover expected issues, known changes, time off, etc.	Roger	Complete	4/27/2023
General	G-2	Monthly	-4	None	Review of preliminary trial balance - identify any unexpected items for early investigation/resolution.	Roger	Complete	4/27/2023
Cash	C-1	Monthly	2	None	Obtain Bank Statements.	Mraye	Complete	5/1/2023
Cash	C-2	Monthly	2	None	Review and record bank transactions	Mraye	Complete	5/1/2023
Cash	C-3	Monthly	4	None	Bank reconciliations	Mraye	Complete	5/1/2023
Receivables	AR-1	Monthly	2	None	Obtain AR Aging.	Roger	Complete	5/1/2023
Receivables	AR-2	Monthly	2	None	Reconcile AR Aging to General Ledger.	Roger	Complete	5/5/2023
Receivables	AR-3	Monthly	4	None	Review reconciliations.	Roger	Complete	5/5/2023
Prepaid Exp	PE-1	Monthly	0	None	Gather all documentation for new prepaid assets for the period.	Roger	Complete	5/6/2023
Prepaid Exp	PE-2	Monthly	0	None	Determine current and long-term amounts, update prepaid schedule, prepare JE to reclass expenses as needed	Roger	Complete	5/6/2023
Prepaid Exp	PE-3	Monthly	1	None	Prepare account reconciliation for all prepaids.	Roger	In Process	5/8/2023
Prepaid Exp	PE-4	Monthly	1	None	Review reconciliations.	Roger	In Process	5/8/2023
Inventory	IN-1	Monthly	1	None	Run inventory reports	Roger	In Process	5/9/2023
Inventory	IN-2	Monthly	1	None	Resolve any inventory discrepancies and prepaid JE to reclass	Roger	Complete	4/27/2023
Inventory	IN-3	Monthly	1	None	Reconcile inventory accounts	Roger	Complete	5/2/2023
Fixed Assets	FA-1	Monthly	2	None	Identify all new asset purchases and disposals during the period. Ensure appropriate classification, lives, etc.	Roger	Complete	5/3/2023
Fixed Assets	FA-2	Monthly	2	None	Review repair and maintenance accounts for possible fixed asset additions.	Roger	Complete	5/4/2023
Fixed Assets	FA-3	Monthly	2	None	For new assets, if a replacement asset, ensure the disposed asset is recorded.	Roger	Complete	5/4/2023
Fixed Assets	FA-4	Monthly	2	None	Prepare depreciation schedule, calculate depreciation amount	Roger	Complete	5/4/2023
Fixed Assets	FA-5	Monthly	2	None	Record monthly depreciation entry.	Roger	Complete	5/4/2023
Other Assets	OA-1	Monthly	2	None	Reconcile fixed asset, accum depreciation and depreciation expense accounts	Roger	Complete	5/4/2023
Accs Payable	AP-1	Monthly	1	None	Reconcile detail of other assets to GL	Roger	Complete	5/4/2023
Accs Payable	AP-2	Monthly	1	None	Perform accounts payable cut-off.	Roger	Complete	5/5/2023
Accs Payable	AP-3	Monthly	1	None	Review credit card statements and expense reports. Request support as necessary and ensure amounts have been properly coded.	Mraye	Complete	5/5/2023
Accs Payable	AP-4	Monthly	2	None	Reconcile AP subledger to general ledger.	Mraye	Complete	5/9/2023
Other Current Liabilities	CL-1	Monthly	2	None	Review Customer Deposit accounts and reconcile accounts	Mraye	In Process	5/15/2023
Other Current Liabilities	CL-2	Monthly	2	None	Review Sales Tax Payable account, ensure payments have been applied and reconciled	Mraye	Not Started	5/15/2023
Accrued	AE-1	Monthly	2	None	Calculate accrued interest expense, prepare JE to record to G/L	Roger	In Process	5/16/2023
Accrued	AE-2	Monthly	2	None	Identify all other necessary accruals.	Roger	In Process	5/11/2023
Debt	D-1	Monthly	3	None	Prepare JE to record any reclassifications	Mraye	Not Started	5/11/2023
Reporting	R-1	Monthly	8	None	Prepare preliminary balance sheet, income statement and cash flow statement.	Mraye	Not Started	5/16/2023
Reporting	R-2	Monthly	8	None	Perform analysis of preliminary financial statements, document causes for fluctuations, and identify any necessary adjusting entries.	Mraye	Not Started	5/16/2023
Reporting	R-3	Monthly	8	None	Review analysis of preliminary financial statements.	Roger	Not Started	5/17/2023





# Vendor and Banking Control Positions



## Function: Control Positions for Bank and Vendor Accounts

	Clerk	Admin Assistant	City Manager	Police Chief	Public Works Manager	Mayor	City Council Member
Atiac	None	Full Rights	Full Rights	None	None	None	None
ASI/Flax	None	Full Rights	Full Rights	None	None	None	None
Cascade Collections	Full Rights	Full Rights	Full Rights	None	None	None	None
CIS	None	Full Rights	Full Rights	None	None	None	None
DataVision Phone system	None	Full Rights	Full Rights	Full Rights	Full Rights	None	None
Department of the Treasury-Federal Payroll taxes	None	Full Rights	Full Rights	None	None	None	None
Frances	None	Full Rights	Full Rights	None	None	None	None
Frances Online - OQ & 132 Oregon Reporting - Security answers - Faith	None	Full Rights	Full Rights	None	None	None	None
HRA/Veba	None	Full Rights	Full Rights	None	None	None	None
HRA/VEBA	None	Full Rights	Full Rights	None	None	None	None
Mission Square	None	Full Rights	Full Rights	None	None	None	None
Open Edge Portal - for credit card payments- Utility only	Full Rights	Full Rights	Full Rights	None	None	None	None
Oregon Department of Revenue	None	Full Rights	Full Rights	None	None	None	None
Oregon State Treasury Pool Fund	None	None	Full Rights	None	None	Full Rights	One Authorized Council Member
Pacific Office Automation- Copier	Read Only	Full Rights	Full Rights	None	None	None	None
PERS	None	Full Rights	Full Rights	None	None	None	None
SEI Filing for Public Officials	None	None	Full Rights	None	None	Full Rights	All Members Full Rights
Umpqua Bank Web Site full rights to do all transactions not to exceed \$1mm	None	Read Only	Full Rights	None	None	Read Only	One Authorized Council Member-Full Rights
Umpqua Bank Check Signers Authorized by Council	None	None	Authorized Signer	None	None	Authorized Signer	Two Authorized Council Members
USPS	Full Rights	Full Rights	Full Rights	None	None	None	None
Verizon phone access, authorization and assignments	None	Full Rights	Full Rights	Full Rights	Full Rights	None	None

