

MALHEUR COUNTY COURT MINUTES
June 20, 2018

County Court met with Commissioner Don Hodge presiding with Commissioner Larry Wilson present. Staff present was Lorinda DuBois; County Counsel Stephanie Williams was present for portions of the meeting.

Also present was Larry Meyer of the Argus Observer and Pat Caldwell of the Malheur Enterprise.

FIRST PUBLIC HEARING - FORMATION OF ONTARIO PARK AND RECREATION DISTRICT

Present for the first public hearing to consider the formation and boundaries of the proposed Ontario Park and Recreation District were: Mary Jo Evers, Megan Cook, Jenny Pressley, Judith Kirby, Environmental Health Director Craig Geddes, Environmental Health Specialist Eric Evans, and Treasurer/Tax Collector Jennifer Forsyth. Notice of the hearing was published in the Argus Observer on June 3 and June 13, 2018; and posted at Ontario City Hall, Ontario Community Library, Ontario Justice Court, and the Malheur County Courthouse.

Commissioner Don Hodge opened the hearing and asked for public comments.

Judith Kirby: I have two questions. One is about compression. I mean, the state law caps our taxes so I just talked to Mr. Yraguen (*Ingram*) and he said, you know, this will take some money out of other areas but he doesn't know where and how much. But compression is, I mean everybody's got to understand that if we pass this somebody else is going to have money taken out of, whether it be the library, the college, the city or the schools.

Commissioner Hodge: I don't know.

Mary Jo Evers: So, of the seven precincts that were comprised of that I believe there was one with compression currently on the library district and it was pretty minimal.

Kirby: It was not too much.

Evers: Yeah... *inaudible*

Eric Evans: That's what Dave said, it was like \$700

Hodge: So the library's maxed out, it won't

Evers: It was one district (*precinct*) that included the library district that had compression so this one's the same boundary, that would still have compression and it resulted in like \$700 of loss tax revenue

Kirby: But we need to be aware of that

Commissioner Wilson: That's part of the, I would assume, the committee should get that information out to the public so we can vote and you know, inform this fall

Kirby: So the voters will be informed

Wilson: Yeah

Kirby: And number two, the other question I have, is this parks and rec or just rec? Because I can't see us hiring more people for parks, especially on PERS (Public Employees Retirement System), and having equipment to maintain.

Hodge: That's a question I think we will have to direct to, because I was in Ontario at some meetings yesterday and after the meetings I had three or four people come up to me and ask me the same thing, is this, is it parks, does it mean you're going to take care of ball fields, putting money in ball fields, hiring more people, and you know I couldn't answer the question so I don't know.

Kirby: Well in the flyer at the city hall and the flyer at the library it says parks and rec

Evers: The name was generated off the ORS that allows for the creation of that. There was no intent to do that, to take over the maintenance of the parks with this district currently. The fields like the soccer field are currently maintained by the school district; a lot of the baseball fields and stuff are maintained by like the Lions groups and stuff like that

Hodge: Well that's the questions that people ask me and I said, well you know as far as I know nobody's said anything to me but I assume, if I was running the school district, if I was Nicki, I wouldn't let outside people come in and be messing with my ball fields, especially the last few years where they've spent quite a bit of money upgrading those baseball fields and some of that other stuff.

Evers: No, that wasn't the intent; the name just strictly came from the ORS that allows for that sort of entity to be formed.

Wilson: Well I too have had a lot of questions on, swimming pool included? Or what's going on with that, who's going to own that, who takes care of it

Hodge: Golf course also

Wilson: And I can't answer that either so

Hodge: And that's stuff I think you need to make sure you get to Larry and Pat and so they can get articles in the paper and address this so the community does have an idea of what's going on. I haven't talked to anybody or the people I've been talking to, or that's come up to me, I haven't heard, only one person that was negative towards it

Wilson: My question is too, is what I'd like to know, just as a citizen, is the city going, is there going to be a corresponding drop in, once they're relieved of duties?

Evers: That could be one of the things that we could put pressure on the city to do - would be to reduce their, I mean they have the upper limit just like this district would, they have the ability to go down

Wilson: I would think you'd have a better chance of getting it passed if you, unless we're just paying for another tax.

Hodge: Well and you heard one councilman say that, mention that, hey if it gets passed we will give you the pool and we will give you this because it'd be less dollars out of their pocket on the other end. I mean, eventually somebody's going to have to pay for it, it's the 8C School District one way or the other so.

Evans: Part of the hard things about it also, you know, is there's going to be a board that's elected that's on top of all this, so they'll be, I don't know if it says, (*inaudible - background talking*) it'd be five board members that, I mean, we can sit there and answer some of the questions but without, we can tell you what the intent of putting this together is but ultimately it's going to be those board members that

Hodge: Well I'm saying you're still on the school board aren't you

Evans: Right

Hodge: So I assume you could help find out the question about if you're not going to turn over the fields to them

Evers: No

Wilson: It just seemed like with that Extension District, I mean, it was really detailed what they were spending their money on and why they needed whatever amount. This, I've been asked, why did they just pattern it after the library? You know, it's just like, how do you come up with it being, needing exactly the same amount as the library.

Evers: The way I patterned that was because of the study from the pool that said there was at least \$600,000 of capital improvement in order to open the pool. And by doing a three year budget that raised the money to be able to do that and open it in year three.

Kirby: The Friends of the Aquatic Center told me it would take 2 million to open up the pool.

Evers: It was not the Friends of the Aquatic Center that did the study; it was a special committee that Ken Hart was the chairman in.

Megan Cook: That study was done previously before Friends of the Aquatic Center; Friends of the Aquatic Center, their phase plan it would take to renovate the pool, the 2.14 million. But it's not the same renovation. One study is doing something to just open the doors and reuse what's there. The other one is

Kirby: Yeah, the Friends of the Aquatic Center, I mean, they have this extended plan that even includes a gym. But I said, how much would it take to just open the pool and the figure I was given was 2 million.

Evers: She's the chairman of the Friends of the Aquatic Center.

Kirby: Alright

Cook: So with the renovations that we have in our plan it would take 2.14 million

Kirby: All of it.

Evers: But to just reopen it with the capital projects, to get the new pumps and the repairs done it was \$600,000 and that three year budget included some inflationary figures that were generated (inaudible)

Hodge: Well and I should have mentioned when we first opened this that please if you're going to speak now please, you know, tell us your name and if you're speaking for a group or - I'm sorry I didn't think about that when we first opened this.

Multiple talking

Hodge: Is there other comments?

Evers: Mary Jo Evers, I represent the (inaudible - laughter). So just so you know, it's not that we aren't going to do the work. The time frame that came about with this was very sudden and that's why we came to you guys for help. We intend to work through a lot of the questions that you are asking now that we are through that petition signature process. Because I think they're all valid questions, I mean you know, you've got to have that stuff solidified and so if we make it through the hearing process then we intend to probably get a fair booth and all that kind of stuff and roll out some educational pieces, but that is our intent is to answer a lot of those questions.

Hodge: Good, because I think again you need to get a hold of Larry and Pat, especially make sure they know and I would assume that there's going to be probably many articles written about this over the next, you know, few months or whatever the case may be so. Anybody else with any more comments?

Kirby: I'm Judith Kirby. I would love to see the pool, my name is Judith Kirby, and I'm from Ontario. I'd like to see the pool open because I have a grandson and last year I took him all summer long to the Payette pool. And the Payette pool, it works but it's in some disrepair itself, but I don't, you know, the Friends of the Aquatic Center includes a gym and tearing off the roof and having an open pool with eventually putting the roof back on and it's a very extensive plan. I'd just like to see an indoor pool open - that's my feelings.

Hodge: Well and questions I had presented to me yesterday were, because it's going to be supported by the 8C School District, do the people, do the general population in 8C, do they have to pay to use the facilities, you know, again that's a question I couldn't answer. I said I can only answer, comment to what I've read in the newspaper, just like everybody else.

Evers: So I would envision, if I was the only board member, I would envision some sort of tiered rate structure, you know, where there is still a user fee for the people that come here but it was reduced and so then it doesn't preclude people from outside the boundary participating but it also gives the residents a benefit for living there at the same time.

Hodge: And that's kind of the answer, I said, well I would assume maybe this but I said, don't take my word as gospel, but then they asked me, said well then how are you going to know who's from where? Are you going to be on your honor, somebody comes over and says, well I'm in the 8C School District, how are you going to prove it to them? I said, I don't have any clue, that's stuff that they're going to have to work through I would guess.

Cook: And also, when the Aquatic Center was open, they did do it similar and they had a software system where there was a higher fee for those people that didn't live in Ontario so there's definitely a way

Hodge: I was going to say, when the pool was open I was using it, I don't remember the fee I paid, I paid an annual fee or a seasonal fee or whatever it was so.

Jenny Pressley: I want to say I remember showing my driver's license

Multiple talking

Hodge: With an address or something. But those are questions that are out there and again, you know, you've got two resources right there that you need to sit down with and so you can get all of this stuff in the media and a phone number or numbers that people can call and ask questions. Larry do you have anything else?

Wilson: Well a lot of this is, I don't know if it's part of the hearing but, we've got one more hearing right?

Hodge: Yeah.

Wilson: And, I mean is there anybody in opposition here today or?

Kirby: I think that we need to tack this down, some of, like my daughter, said I'm going to be taxed out of my home, I'm not going to pay for it unless it's clarified to her.

Wilson: Well, yeah

Kirby: I mean, we need answers before we can put it on the ballot. And the other question, the other concern I have is, is the employee going to be PERS (Public Employees Retirement System)? Because I didn't understand that the library people are PERS but apparently they are.

Evers: So that would be a role of that board that would be elected at the same time and that would be one of the very first things they would decide, because as a new district they have the ability to be PERS or not be PERS. Again, if it was just me on the board I would say no PERS but

Kirby: PERS makes it too expensive.

Wilson: Stephanie, do you know, do they have to be on PERS?

Evers: No I've checked it out

County Counsel Williams: No they don't have to. I think the reason why they are at the library is because they were already PERS employees.

Wilson: Oh okay. Well, that's to answer your question a little bit. I just heard, it's really not a, I don't think anybody in the public really has any clue what's, is it a wish list of things or, what's it

really, what are we really supporting? I mean, is it just soccer or, I've heard all kinds of questions so. And then, the other question I have is, why, are we just doubling our, if there's going to be no relief from the city what's, I think it's going to be hard to pass a district, just adding another \$0.55 on to our already high taxes, you know, unless you can get some kind of a, because if you can get a \$0.55 reduction from the city that'd be, you'd probably have good luck there but

Kirby: You're not going to get a \$0.55 reduction from the city because the city is \$11.8 million with interest on PERS.

Evers: The school district is double that (inaudible)

Wilson: Yeah, and then the comments that I had, you know, that, I don't know, that isn't really your committee, but just like the comments that Marty Justus, one of the councilors, and I think there were a couple, said, well we were gonna we were gonna propose this, we were going to do this anyway, even if the sales tax passed. So I, that seemed pretty ambiguous, you know

Evers: I can't say that I've spoken with Marty about this after that meeting where he said go ahead and try to get it on the ballot, so I don't

Wilson: Well it was in the paper, his comment.

Evers: Well because he voted no on the resolution because it was caveated as if the sales tax fails and him and Dan wanted to do it either way

Wilson: Right, so

Evers: But, all I know is at the end of the day if we don't do something - the city's not going to fix it. So, us the people have to fix it.

Hodge: Well you know we mentioned, what was it about a month ago when you were here or so, about if, say it does pass then it's going to be a year from November before you would get any funds. You're guaranteed funds up through December of this year I think you said, so it means you're going to have to fundraise for all of next year also. But then there was a comment, because I think Adam Brown was here and Verini was here, and we were told, and it was unbeknownst to you I think at the time, the figure was like \$25,000 to carry on through to June and then the mayor said no, or Brown said no, it's like \$44,000.

Evers: So I've reached out to him now that we've, actually last week after we got the final signatures in and said I'd like to sit down and meet with him about both the transfer of the assets. I don't feel it's fair for, I feel like voters have paid for those assets once, and if the voters are setting up another district and they're going to make us lease them and pay for them that's basically making voters pay for it twice. So, I'd like to see something more along the lines of what happened to the library with a MOU, say prove to us it's a viable district and we will give you the assets in X amount of time. So that was one comment, and also how we can, you know, bridge that gap. I've explored some grant opportunities and things like that, but I think they need to look hard and long to find a way to make that. And I think it shows, the signatures show that the public is in support of having that program.

Hodge: How many signatures did you end up with do you know?

Evers: We had 1280 and then Megan brought some more over

Evans: 1280 was the verified signatures

Cook: We brought some over last week (*inaudible*)

Inaudible - multiple talking/ muffled

Unknown: met the goal and quit

Evers: So I agree our job

Evans: It's a stack of papers about that thick

Hodge: Yeah I'm sure

Evers: Our job's not over by (*inaudible*) we know that

Cook: I feel like we're really just getting started. It's really easy to say all the things that we want and all the things that we, all the problems that we see and the way that we think things should be done differently, but what, I really feel like what needs to happen within our community is that somebody needs to get a plan. We need to stand behind it and support it so that it can come to fruition and we can start having positive things happen in our community. It might not be exactly what you want first, but it will come. That's what Ontario needs, I mean it's, these programs, this got started because these programs are going to be ended. So we can talk about the pool all day long but what we're really talking about immediately is getting these programs to continue so that they're not stopped because we are going to have a lot of youth with a lot of free time and it's not going to be good. So, thinking beyond just ourselves, you know, I can travel, I can take my kids' places, but not everybody in Ontario can do that.

Evers: I would have a lot more free time if we didn't have the programs, since I coach everything. I agree there's lots of questions to work out but give us some time, we will work it out.

Hodge: Well, and I think it was like, we mentioned a few weeks ago, and I think Dan in particular said, if you don't get it right the first time, you know, you're just digging a hole for yourself and pulling the dirt in on yourself, so you've got to make sure you do it right. And again, I keep pointing and talking about Pat and Larry, there's two gentlemen right there that can at least get your story out and then have some place where, a number where they can call and talk to you, plus I assume you probably ought to have forums or roundtables or community meetings or something because, you know, Ontario's had a tough time passing any type of budgets for anything in the last quite a few years and people are going to see this as just another tax, especially probably the senior citizens, so, that's our option I guess. Anybody else that would like to speak? Anybody for or against or?

Evers: I do have some letters of support from Boyd's, Tobi and Bob Boyd

Hodge: What we will probably do is have Kim or Stephanie take photo copies of them so we do have record of them. I'm not sure when the next hearing is, is it a couple of weeks, a month or, I'm not sure it says

Williams: This is what you'll have to sign, it's an Order approving and it sets the next hearing for July 11 at 9 o'clock. So attached with this Order are your findings of fact, a legal description of the boundaries, a map of the boundaries, and a letter from the Planning Department and findings of fact on purpose, population, demographics, land development, financial impact, and social impacts. So you will need to make a motion to approve this Order if you could read the title out loud and the number.

Hodge: An Order Approving Formation of the Ontario Park and Recreation District and Setting Final Hearing. Order is GO-05-18. Do I need to read all of this Stephanie?

Williams: No, you can make a motion just to pass it by title only.

Hodge: Okay.

Wilson: And that's a motion just to continue it to the second hearing?

Williams: Yes, well it's not just that, you are making finds of fact about the benefits of the district, setting the boundaries

Hodge: Yeah, it says Malheur County Court orders as follows: the boundaries for the formation of the Ontario Park and Recreation District

Wilson: I don't know if we need to, I'm not trying to be a thorn here but, when extension district came to us it was very clear what we were what people were going to be voting on. This is very unclear because my comment the first time was, I'm not saying I'm against it at all, it's just that it was a knee jerk reaction, very quick, and personally I felt you'd have had a better chance doing it the proper way and getting your ducks in a row so I know when I vote I want to know what I'm really voting for.

Multiple talking

Jenny Pressley: What about it's been improper?

Wilson: I didn't say improper. I just said

Pressley: You just did say improper, that was the word you just used.

Wilson: Okay, so

Multiple talking

Wilson: I just think that its improper in the way it was, it was done too quickly, without, it's very vague, on really, are we getting a pool or you know what all really (*inaudible*)

Pressley: In the budget within three years, yes the goal is yes, to have a pool (*inaudible*)

Evers: The difference between the Extension District and this district is this is based on programs that are already in operation so you can pull the budgets from the City that are currently being used, I mean if you make the same assumptions (*inaudible*)

Wilson: As long as those are disclosed, I mean, and really presented to us so, I mean ultimately it's the voter you're going to have to please

Cook: What's the form that you, that we had with the petition? What was that called? (*Inaudible*)

Evers: (*inaudible*) three year projected budget

Cook: And didn't they receive that the last (*inaudible*)

Multiple talking

Wilson: But it just seems like, the questions we get, Don and I have been getting at least, people really want to know what's really going on. There's a lot of, to me it's still a little bit

Cook: So I think the answer, the simple answer to that is that we're trying to take over those programs so that they don't stop, so it's all the current programs within the rec district and with those funds open, reopening the pool in the third year.

Wilson: Okay, well I guess, you know

Multiple talking

Pressley: (*inaudible*) they're existing expenses, it's not like the Extension District, which you've mentioned several times, that was a whole brand new thing so it's totally different than, these are existing programs, we know what it cost the city to run these programs so it's not like we're just making up numbers, or Mary Jo is, she has numbers from the city.

Cook: For me personally I like the questions, I'm excited that people are asking these questions, whether we can answer them or not because it does give us the ability to create a campaign that answers these questions.

Wilson: Well ultimately that's all I'm saying too is that's, you're going to have to do that to get it passed.

Cook: And I want you to know that I fully I'm going to put in as much as I can and I know that there are other people in this room that are going to do the same thing to answer those questions, so that it is just super clear when it comes out on the ballot.

Evans: Right now, I mean, there's been a lot of time spent, I mean, by more people than most, everybody else besides me going around time getting 1200, 1300 signatures, there's been a lot of time spent on that. That's a pretty good feat in a month's time

Cook: And now that time that we've spent

Evans: I would envision now, you know, having some meetings, getting together and trying to rough some of this stuff out and at some point in time we're going to have to, people are going to have to step up and register to be on the ballot themselves as a board member.

Evers: That can't happen until after the second hearing

Evans: After the second hearing, right

Wilson: Right

Evers: We're committed to doing what we need to do to get people educated and solidifying the details that we have semi control over in our vision for the district. What the board does, you know, with PERS is a huge one, she's right, PERS is a huge one, whether or not it's PERS as of January 1 or not. But that's not under our direction or control at this point.

Hodge: Well, I want to ask a question, and I'm trying to remember from a couple two or three weeks ago when we were here and it seemed like Brown and Verini said, was the budget for the rec department somewhere around \$145,000 or is it considerably more than that?

Evers: Well it has a revenue side too. When it was in there with the 1.6 FTE (Full Time Equivalent) I think the net between the revenues it brings in and the expenses was 72 or \$75,000 and that's where I got my \$20,000

Hodge: Because I've had people ask me the question, ok if this district and I think it mentions in here, would bring in approximately \$600,000 revenue per year

Evers: Of taxes

Hodge: Of tax revenue, okay. You now, and the, it says financial impact, the budget for the proposed district is anticipated to be approximately \$679,000 per year, so what do you mean budget on that, in the expenses?

Evers: Well that's both sides, because you have to, whatever you're revenue is you have to budget as expense, so the total budget for year one is \$679,000 and that includes the fees that they bring in for kids playing soccer, for sponsorships, and that came straight out of the city's budget (*inaudible*)

Hodge: Again, approximately, is that what they're doing now, do you know?

Evers: They actually budget on the lower end of that because usually good budget people budget conservatively on the revenues and aggressively on their expenditures so that you have some savings there, and so I think that their budget is a little, I think that they actually brought in over 80 in the last fiscal year

Wilson: Well, to answer your question, I remember them saying they were going to fund I believe 188 for the first six months of this year, fiscal year, and then it would be about, and then there was that \$25,000 figure and then Brown or one of them said no, it would be \$44,000 from January to July

Evers: (*inaudible*) but that doesn't recognize their revenues that are coming in (*inaudible*)

Wilson: Right but that's where the dollar figures

Evers: All of the dollar figures came out of their budget information, so I feel like we have a little bit of safe valve with, you know, if the district chooses to not go with PERS obviously you have that as a cost savings, you have to do some sort of retirement plan in lieu of it but it wouldn't be nearly as spendy as PERS.

Hodge: Okay, well getting back to this Order, again, it says, you know, the Malheur County Court orders as follows: Section 1: The boundaries for the Ontario Recreation District; Section 2: Boundaries to be included in the Parks Recreation District is the boundaries of the 8C School District including city limits of Ontario. The legal description, which there's a legal description in here, a copy of the map, and I, either I saw this in the paper or it was in an email to us

Kim/Recording Secretary: I emailed that document to you.

Hodge: Okay, we saw that here within the last week or whenever it was, and I remember reading, looking at that stuff, so. It says the establishment of the Ontario Park and Recreation District does comply with the Malheur County Comprehensive Plan; this was from Alvin Scott, if you have any questions it says please contact his office. So I guess, we're here at the Order now, so

Kirby: I have a question, are you going to put it parks? That word park is going to turn off a lot of renters, I mean; they don't want to take over the parks. A lot of people just want rec, can we separate it?

Hodge: Well I guess that's going to be up

Evers: (*inaudible*) cross the name off?

Cook: Sure

Hodge: Stephanie, is? You guys are the ones that are forming it so

Evers: I mean if it's that big of a hindrance

Hodge: Just make it the Ontario Recreation District

Multiple talking

Williams: You don't declare actually the name of it until the next hearing because what happens is the next hearing you set forth a ballot title, a caption, a summary, and the name

Multiple talking

Hodge: (*inaudible*) like you're saying, the Ontario Recreation District, instead of parks, because again, when I was over there yesterday I had three or four people after the meeting ask me what's this mean, are they going to try and take over the ball fields and I said well I don't think so

Evers: The city doesn't even own most of those

Hodge: Well again the public are asking

Wilson: By that next meeting, you should have, you said you were meeting with

Evers: I was trying to. He's out right now

Wilson: Okay with the city but that should clarify too if the swimming pool and tennis courts or just the pool and, or what's involved, so that should kind of clear, then you could figure out your name, I mean if you need to change it

Williams: The County will set forth the name in the next Order

Hodge: Yeah

Wilson: Right

Evers: So you'd like me to try to get some sort of tentative MOU (Memorandum of Understanding) with the city on what, by that next hearing of what

Wilson: Well I think

Hodge: Well I think that's an explanation you're going to have to have to your public

Evers: Yeah

Williams: I don't think it will be binding.

Evers: No, it won't be binding, but is that what, I mean to mean there's a huge, like I said, I don't think the voters should have to pay for it twice, and so I don't think that they took that into account when they made the comments about leasing

Wilson: Right

Hodge: That was a question that was brought up to me yesterday, he said we've been paying for this for 40 years, you know, why should we pay for it again, you know. I said well, and then they said the fees, they said are they going to charge us, and I said you know I don't know, I said I'm not in charge of it, but I said that's valid questions that need to be answered, and again it all gets back down to you've got to get articles in the paper and start and I would suggest too that you have, you know, forums or public meetings now, depends you know, what kind of attendance you're going to get, you know they're sporadic around here on different topics but maybe on this one you might get a lot of people because there's a lot of children in Malheur county or 8C School District. Plus again I've had several of them ask me, basically it's all these people I've talked to yesterday, they're asking me, again, why wasn't it a Malheur county versus, and I said well.

Evers: They can join in after its set up they can join in.

Hodge: But that's stuff that you need to answer.

Evers: We have no problem doing the work.

Hodge: Okay

Evers: Just like I think we showed through the petition process, because it wasn't easy to get that many signatures because we really had to get probably upwards of 15-1600 to get those validated because a lot of them, people that got excluded, were people that were like, what? Because they didn't sign their name you know exactly right

Hodge: Well I remember a month ago when we were talking and you told me, you says well I'll get 2500 for you, and I thought well you know that's a little easier said than done

(Inaudible)

Hodge: Well a lot, hey 1200, 1300 like you did, that's a lot of people and that's a lot of places to be plus set and go talk to people and you know, so

Cook: And that's without the details that we're going to be

Hodge: Exactly, now you're getting down to the nuts and bolts where people are going to want to know, because, you know, again, it comes back to what Judge said, hey, if this is defeated, you know, that's going to be a, you know, it's not going to be good, it's going to be hard

Multiple talking

Hodge: Plus, you know, I think

Evers: Doing it, this will allow us to get it right because you'll have six months of overlap with the city. If you do it the other way it would go live July so this would give you six months of overlap which is why I pushed the process so far

Jennifer Forsyth: I think it's great.

Kirby: I also think that people need to realize that a pool is not self-sustaining, I mean even if we get it open.

Evers: The study actually says that it can, the one that the pool committee, I don't know if you remember, the one, it was probably five, six years ago when they actually talked about doing a sales tax just for the Aquatic Center and they did an in-depth study on it; that's where the capital information came from, and they actually have a model that would make it self-sustaining, self-sufficient. I haven't reviewed that yet, Ken's going to get me that info this week, but they've put a lot of work into that too.

Kirby: I would love an indoor pool, but, I mean, sometimes they're not self-sustaining so that's why you have to pay their taxes and you have to pay an entrance fee.

Evers: And I'm not sure what sort of fee structure was set up to make it self-sustaining, because like I said, I haven't seen that study, he's going to get that to me this week.

Hodge: Okay, so Larry, I guess, do we, we need a motion.

Larry Meyer: You have to close the hearing.

Hodge: What's that?

Meyer: You have to close the hearing.

Wilson: Yeah.

Hodge: Close the hearing, okay.

Wilson: I guess I'd make that motion for the Order.

Hodge: Okay, I'll second it, all in favor, Aye.

Wilson: Aye.

Hodge: Okay, motion passes. So the next meeting's going to be

Wilson: July 11th

Hodge: July 11th. So I guess we'll sign this and get this going so I guess we'll hear from you or you guys will be back in here on July 11th, but again, you've got your two resources here, I suggest you sit down with them and you get started and the more stuff you have in the paper and the more information you have out there I think is going to be better for you. So, thank you for coming.

Written comments were submitted by Bob Boyd as follows:

To whom it may concern: My name is Bob Boyd and I am a retired teacher and coach who has lived in Ontario my entire life. I love my hometown. But it is not the same town as when I was a young adult. This is not just an opinion, but a fact. The Ontario of the past had a golf course, shopping mall and a pool. It was a vibrant town for young families to live. Furthermore, most workers and their families lived in Ontario helping to support the financial base of the town and add energy to its residents. This is no longer the case, and the reason why I am submitting a letter of support for the creation of a new recreation district. A new recreation district would add much needed life to our town. It would be a positive step in stopping the recent trend of a declining spirit that has engulfed our community. It would also send a message to the young families of Ontario and possible future families of Ontario that the town has not forgotten them. While maintaining and improving a recreation department that will serve all walks of life in Ontario will not completely solve all of our problems, it will definitely cause more damage if it is not adopted. The petition and proposal for this badly needed service was initiated almost entirely by young civic minded parents of Ontario. It required a great deal of volunteer time and effort. We should applaud their efforts and support this cause. I fear that anything less than our full support will lead to the loss of many families who will not want to raise their children in such a limited

environment. We have lost too many families to the surrounding towns. It is time to make an investment that help protect the future of our town.

Written comments were also received from Tobi Willison-Boyd as follows:

To Whom It May Concern: My name is Tobi Willison-Boyd and I am a retired teacher from the Ontario School District. I have lived in Ontario for thirty years. My husband and I raised three children in Ontario. My children were lucky because there were opportunities that existed that are not available to the Ontario children today. One example; there is no longer a pool available to our community. All my children took swimming lessons at the Aquatic Center. The children today either have to go to Vale or Payette. My sons even had the opportunity to take lessons while attending school. The Boys and Girls Club is located a couple of blocks from the Aquatic Center. Wouldn't it have been nice to have offered swimming lessons to those children during the summer months or after school? The City of Ontario had its chance to come up with a solution. A new recreation district could continue to provide activities for our youth, as well as adults. They want to get the pool up and running again. The community has the right to vote for a new district and we need to provide the opportunities for our children, seniors and patrons. Our town is slowly dying and we have community members willing to find solutions. It is time to act and be a part of something positive. Our town's future depends on it.

See instrument #[2018-2324](#) for Order No. GO-05-18: An Order Approving Formation of Ontario Park and Recreation District and Setting Final Hearing.

UNCOLLECTIBLE PERSONAL PROPERTY TAXES

Treasurer/Tax Collector Jennifer Forsyth met with the Court and reviewed the uncollectible personal property tax accounts. Commissioner Hodge moved to approve Order GO-07-18: In the matter of Uncollectible Taxes on Personal Property Situated within Malheur County and the Cancellation Thereof. Commissioner Wilson seconded and the motion passed. Four accounts were cancelled, all consisting of destroyed/abandoned manufactured homes; total charge off is \$263.29. See instrument #[2018-2325](#)

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of June 13, 2018 as written. Commissioner Wilson seconded and the motion passed.

AMENDMENT - BUILDING CODE PROGRAM

Commissioner Hodge moved to approve First Amendment to Personal Services Contract for Administration and Enforcement of Malheur County's Building Code and Inspection Program with City/County Inspection Services, Inc. Commissioner Wilson seconded and the motion passed. The contract is extended through June 30, 2019. See instrument #[2018-2326](#)

CROSSING PERMIT

Commissioner Hodge moved to approve Crossing Permit #39-18 to Idaho Power Company to upgrade a pole and install a bank of transformers on Grand Avenue #562. Commissioner Wilson seconded and the motion passed. The original permit will be kept on file at the Road Department.

PILT (Payment in Lieu of Taxes) LAWSUIT

Correspondence was received regarding a lawsuit filed in the US Court of Federal Claims by Kane County, Utah seeking to recover underpayments of PILT payments by counties in FY 2015, 2016 and/or 2017. The Court ruled in Kane County's favor and certified the lawsuit as a class action. The Court ordered that Notice be sent to each underpaid PILT recipient; and those

recipients have the opportunity to "Opt-In" to the lawsuit. There is no out-of-pocket expense for counties that opt-in; rather a prorated amount for legal fees would be deducted from the underpayment award. It is expected that the County should receive the Notice within the next week.

COURT ADJOURNMENT

The meeting was adjourned.