



CITY OF PHILOMATH CITY COUNCIL

September 9, 2024

City Hall Council Chambers
980 Applegate St., Philomath, OR 97370

Mission Statement

To promote ethical and responsive municipal government which provides its citizenry with high quality municipal services in an efficient and cost effective manner.

WORK SESSION

6:00 pm

A. **TRAINING**

1. Mandatory Reporter Training

REGULAR MEETING

7:00 pm

A. **ROLL CALL**

B. **PUBLIC COMMENTS** (See Meeting Participation Instructions on Page 2)

This time is intended for individuals to speak and Council to listen. Members of the Council will not discuss topics or make decisions during this time, but may take comments or requests under advisement, assign topics to a future Council or Standing Committee agenda, or request staff to take action. Comments about a topic scheduled for a public hearing should be given during the hearing, not during visitors and comments. Testimony time is limited to 3-minutes per speaker; a 30-second warning will be provided. Speakers should provide their name and city of residence. Providing the Council with written copy of your comments prior to or during the meeting is greatly appreciated. Those who attend public meetings are required to adhere to the council's rules of proceedings and observe the same standards of decorum as members of the council. Further, at the discretion of the presiding officer, members of the public who fail to observe these rules of procedure will be asked to discontinue speaking and will not be allowed to speak again for the remainder of the meeting.

C. **CONSENT AGENDA**

1. City Council Minutes of August 12, 2024
2. City Council Work Session Notes of August 12, 2024

D. **NEW BUSINESS**

1. Fiscal Year 2023-2024 Financial Audit
2. City Recorder Recruitment Procedure
3. Psilocybin Options

E. **REPORTS OF BOARDS, COMMISSIONS, COMMITTEES, COUNCIL LIAISONS AND STAFF**

1. Management Report

INFORMATION & CORRESPONDENCE

1. September City Newsletter
2. YouTube Channel Views Report: August 2024
3. Philomath Connection bus ridership for August 2024
4. Public notice advertising report – 7/22/2024 public hearing
5. Planning Commission Minutes – August 19, 2024
6. Planning Commission Staff Update – August 19, 2024
7. Inclusivity Committee Minutes – July 23, 2024
8. Inclusivity Committee Minutes – August 27, 2024
9. Housing & Economic Development Committee Minutes – August 27, 2024

F. ADJOURNMENT

MEETING PARTICIPATION INSTRUCTIONS

This meeting is being held in-person at the City Hall Council Chambers, and the public is invited to attend. Public comments and testimonies are also available via written or electronic participation. City meetings are live-streamed on the City's YouTube channel at: [City of Philomath - YouTube](#). This is a public page; no account or user fee is required.

Given two business days' notice, an interpreter can be provided for the hearing impaired or those with limited proficiency in English.

Contact the City Manager's Office to make interpreter arrangements:
541-929-6148; cityhall@philomathoregon.gov; PO Box 400, Philomath, OR 97370

Opportunities to Comment

<u>Methods:</u>	<u>Must be received by:</u>
1. Appear at City Hall Council Chambers	
2. Sign up to speak via phone or Zoom by contacting City Hall	4:00 p.m. the day of the meeting
3. Email written comments to City Hall	12:00 p.m. the day of the meeting
4. Deliver written comments to City Hall	12:00 p.m. the day of the meeting
5. Mail written comments to City Hall	12:00 p.m. the day of the meeting

UPCOMING CITY MEETING AND EVENTS

(as of 9/5/2024)

September 8	11-3:00 PM	Philomath Farmers' Market
September 8	2-6:00 PM	Public Safety Chili Cookoff at Rodeo Grounds
September 9	6:00 PM	City Council Work Session
September 9	7:00 PM	City Council Meeting
September 9	7:00 PM	Urban Renewal Agency Meeting (prior to City Council meeting)
September 10	4:00 PM	Police Committee Meeting
September 15	11-3:00 PM	Philomath Farmers' Market
September 16	6:00 PM	Planning Commission Meeting
September 18	3:00 PM	Finance & Administration Committee Meeting
September 24	5:30 PM	Inclusivity Committee Meeting
September 30	6:00 PM	Planning Commission Meeting

Meetings may be cancelled or postponed. Refer to the City Meetings & Events calendar on the City's website for the most up-to-date meeting information.



Philomath City Council Agenda Item Summary

City Council as Mandatory Child Abuse Reporters

Meeting Date: 9/9/2024

BACKGROUND

Oregon Revised Statutes (ORS) 419B.005 provides a list of certain individuals that are required to report abuse to the Oregon Department of Human Services. HB 3071 (2021) altered the definitions to include "An elected official of a branch of government of this state or a state agency, board, commission or department of a branch of government of this state or of a city, county or other political subdivision in this state." There had been some discussion before the passage of HB 3071 as to whether other definitions also included elected members of local governments. However, the new definition clearly includes the City Commission. This training is required to be completed every two years.

The Council will watch a 30-minute video produced by the Oregon Department of Human Services. A link is also provided below for the guidebook entitled "What You Can Do About Child Abuse." Upon completion of watching the video, the Council will have met the training requirement.

ATTACHMENTS

[de9061.pdf \(state.or.us\)](#)

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What You Can Do About Child Abuse



You can get this document in other languages, large print, braille or a format you prefer. Email Feedback.OregonChildAbuseHotline@dhsosha.state.or.us. We accept all relay calls, or you can dial 711.

What You Can Do About Child Abuse

Oregon Department of Human Services
Child Welfare

Oregon Child Abuse Hotline:
1-855-503-SAFE (7233)



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Introduction

Why do I need this information?

All children deserve to be nurtured and kept safe by those responsible for their care. Most parents and caregivers can provide adequate care and protection to their children; however, some parents struggle to keep their children well cared for and safe. Many do not have access to support systems. For some families, engaging with Child Welfare can connect them to resources they otherwise wouldn't have.



Mandatory reporters, people required by law to report child abuse, are a crucial link in the child protection system. Nearly three-quarters of all child abuse reports come from mandatory reporters. In many cases, those community members are the only people outside the immediate family who see children. The Oregon Child Abuse Hotline (1-855-503-SAFE) also accepts voluntary reports from individuals other than mandatory reporters. Voluntary reporters are friends, family and others who observe concerns and voluntarily make a report.

Everyone has a responsibility to prevent child abuse and protect children.

An individual can help children in a variety of ways, from simply being a friend to protecting them from abuse. Communities can help provide the resources children and families need, such as safe childcare or treatment services for child abuse victims. Child abuse intervention centers around the state provide forensic interviews, advocacy, medical evaluation and treatment, and therapeutic intervention for child abuse victims. Mandatory reporters of child abuse, along with the Department of Human Services (DHS) and law enforcement officials, have a legal obligation to protect children.

We hope this booklet will help you understand child abuse, what to report, and when and how to report it. It will give you an idea of what happens after you make a report of child abuse.

Here are some **explanations of terms** you will encounter as you read this material.

- **Abuse and neglect** — Abuse is usually an action taken against a child. However, neglect is an action or inaction leading to a lack of care. Oregon law includes neglect as a category of abuse. Throughout this manual, “child abuse” includes neglect and all the types of child abuse.
- **Accidents** — Child Protective Services (CPS) and law enforcement assessing abuse allegations always consider that an accident or illness may have caused a child’s injury. It is a fact that children have accidents and get injured.
- **Caregivers** — CPS or law enforcement responds when a caregiver abuses a child. Because a caregiver is generally a parent, the word “parent” has been used throughout this manual to mean any caregiver, although a caregiver could also be someone like a babysitter or guardian.
- **Categories of abuse** — You do not need to define an injury as physical abuse, neglect, etc., when you make a report. This manual separates abuse into various categories to help you understand how the law defines abuse. What we need from you when you call us is simply specific, accurate information about a given child’s condition.
- **Child abuse intervention center (CAIC)** — A nonprofit network of centers working together to strengthen and transform Oregon’s child abuse prevention and response systems. CAICs provide necessary services such as medical exams, forensic interviews, family advocacy, therapy, and community outreach and prevention education. For a list of centers, [click here](#).
- **Child Protective Services (CPS)** — A specialized social service program that Child Welfare provides on behalf of children or, when applicable, young adults who may be unsafe after a report of abuse is received.
- **Department of Human Services (DHS) Child Welfare and law enforcement** — DHS and law enforcement agencies have a shared legal responsibility for taking and responding to child abuse reports. Much of the information presented here about the CPS process also applies to law enforcement.

- **Erin’s Law** — Erin’s Law requires that all public schools in each state implement a prevention-oriented child sexual abuse program that teaches students to recognize sexual abuse and tell a trusted adult, school personnel, parents and guardians about it. For more information, go to <http://www.erinslaw.org/erins-law/>.
- **Karly’s Law** — Karly’s Law reformed child abuse investigation standards and procedures in Oregon. Karly’s Law imposes specific statutory requirements on law enforcement, DHS employees and designated medical providers who have received specialized training to assess injuries that may have been caused by child physical abuse. These requirements concern the handling of cases involving suspicious physical injury.
- **Pronouns** — The pronouns “he,” “she” and “they” are used interchangeably throughout this manual to describe children and their gender identification. All genders are subject to all forms of abuse.
- **Third-party abuse** — A person who is not the alleged victim’s parent, caregiver or other member of the alleged victim’s household, and not a person responsible for the alleged victim’s care, custody and control. These individuals could be coaches, neighbors, school employees, clergy and others.



Protecting children is in our community’s best interest. Child abuse is a shared concern across all systems and communities. The best way to protect children and strengthen families is through coordination of community services, including law enforcement, medical professionals, child abuse intervention centers, school officials, the district attorney and other partners within the community.

What is the most important thing to remember?

You should report any reasonable suspicion of abuse; you do not have to prove it. If you suspect a child has been abused, call the Oregon Child Abuse Hotline at 1-855-503-SAFE (7233) to discuss your concerns.

Who is a “child”?

A “child” is an unmarried person under the age of 18.

“Child” also includes individuals under 21 years of age and residing in or receiving care or services at a child-caring agency (CCA) as that term is defined in ORS 418.205.

A “CCA” refers to a private agency or private organization licensed by DHS. CCAs include psychiatric day treatment for children and adoption placement services. CCAs can also be residential care, including proctor foster care or residential treatment, boarding schools, outdoor youth programs, or other similar care or services for children.

Making a report

What is reporting?

Mandatory reporters make approximately 75% of all child abuse reports. Mandatory reporters are public and private professionals required by law to report suspected child abuse. Most of these professionals interact with children and families on a regular basis. They include full-time and part-time employees as well as volunteers. Some examples of mandatory reporters include medical practitioners, law enforcement personnel, employees of a public or private organization providing child-related services or activities, public and private school employees, and members of the clergy.



For a complete list of all mandatory reporters, refer to Oregon Revised Statute [419B.005](#).

Under Oregon law, any mandatory reporter must immediately report suspected abuse if that person has reasonable cause to believe a child they come in contact with may have been abused, or a person they come in contact with may have abused a child. Not every person is a mandatory reporter — but everyone is urged to report suspected child abuse to ensure the safety of children in our community.

When does confidentiality override the need to report?

If you are a mandatory reporter, your obligation to make a report applies regardless of whether or not you gained your knowledge of the abuse in your official capacity.

Those people who have the right of privileged communication by ORS 40.225 to 40.295 are not required to report information about abuse if they gain the information where the professional/client relationship is protected. If you have any questions, contact DHS or your licensing board.

How do I make a report?

Reports are made by phone to the Oregon Child Abuse Hotline at 1-855-503-SAFE (7233). The hotline is accessible 24 hours a day, 365 days a year. When DHS receives a report, we are required to share it with the appropriate law enforcement agency and vice versa. You only need to report to one agency. If there is an emergency and you believe a child is in immediate danger, please call 911.

Recognize

The first part of the process of reporting is to recognize. Recognizing is knowing the signs of abuse may have occurred or may be occurring. Remember that children often can't or won't speak up if their parents, caregivers or third-party individuals are abusing them. They rely on you and others in the community to recognize something isn't right and act to help protect them. Any single concern may or may not mean that abuse is occurring. But observing any of these indicators — especially when more than one is present — should prompt you to think about what might be happening.

Consider each potential indicator within the context of what is typical for the child, their family, their culture and their community. As we discuss how to recognize common indicators of child abuse, it is important to also recognize that each of us has our own beliefs about what constitutes good parenting, children's rights within their own families, and how we believe parents and caregivers should react to issues of concern. These beliefs come from our cultural and community norms, our own family experiences and other life experiences.

We may have a concern about a child from a different culture than our own or who belongs to a community that we don't understand well. In that case, we should consider whether our concern relates to parenting practices and personal beliefs that may vary from our own but are not necessarily abuse.

Racial disproportionality

Research suggests that child abuse occurs across racial and ethnic groups at similar rates.

However, when we look at who is reported for abuse, we see that children of color, particularly Native American and African American children, are reported far more often. This is called "racial disproportionality," which is likely connected to personal and systemic bias.

The following explains what is known about racial disproportionality in the child welfare system and how you can help correct this problem in Oregon.

In child welfare, “racial disproportionality” refers to a racial or ethnic group’s underrepresentation or overrepresentation to the group’s percentage in the total population. In Oregon and across the nation, children of color are overrepresented in the child welfare system at alarming rates.

Child Welfare continues to explore contributors and solutions to racial disproportionality and disparity and to develop policies, practices, workforce tools and strategies to address the issue. African American children experience extraordinary disparities in the Oregon system. However, Native American children have the highest rates of disproportionality when they enter the child welfare system. In short, child welfare is more likely to remove Native children than any other racial or ethnic group, while African American children are more likely to experience delays to permanency and poor outcomes when they transition to adulthood.

As a professional interacting with children on a regular basis, it is critical to understand personal bias and how it may affect you as a reporter. We all have biases, even if we don’t realize it. However, lack of awareness of how bias influences our decisions directly affects families in our community.

The first step is acknowledgment and then working toward broadening your viewpoint, expanding your empathy and identifying your areas of bias. A tool used among many professionals is the Implicit Association Test (IAT). (1) When identifying a negative bias that you may have, make a conscious effort to learn more about that idea, individual or group to understand how and why it makes you uncomfortable. (2) Starting from a place of curiosity while remaining open is a great place to begin.

As we discuss warning signs of abuse, consider your personal beliefs and biases and how they may affect what you see or hear.

Warning signs

What are warning signs of child abuse? We group them into three categories:

- Physical signs present on the child
- Behavioral signs or statements made by the child, or
- Behavioral signs or statements made by the parent or caregiver.

Physical signs present on the child may include:

- Injuries on parts of the body that are not typical
 - Kids bruise their shins, bang their knees and scrape their elbows. These are expected for active children. However, injuries to the back, neck, ears, buttocks or genitals are more likely to be associated with abuse.
 - Concerns include oral injuries in infants, any bruises on a child under 4 months old, or a child being unable to cruise, crawl or walk unless the child had injuries that a reliable adult witnessed.
- Injuries for which the child has no explanation or a reason that isn't logical
- Medical, dental, vision or mental health needs that appear unaddressed
- Poor height or weight growth when there is no identified medical cause, or
- A child who has a sexually transmitted infection.

Behavioral signs or statements made by the child may include:

- Regularly runs away from home
- The appearance of extreme fatigue on a regular basis
- A pattern of stealing food or complaining of hunger
- A child who cries, cowers or otherwise indicates they do not feel safe in the presence of a parent or caregiver
- Losing skills already developed, including incontinence when potty training has been well established
- Attempting suicide or displaying behaviors that self-injure
- Statements about being unsupervised before they can safely care for themselves
- Statements that they fear their parent or caregiver or don't want to go home
- Asking others to supply necessities, or
- Direct statements about experiencing abuse.

Behavioral signs or statements made by parents may include:

- Disregard for the child's feelings, needs or emotions
- Seeing the child as predominantly bad, evil or worthless
- Describing the child in sexual terms or implying that the child may provoke sexual contact from others

- Discipline methods that don't meet the child's developmental level
- Expecting the child to behave in ways unrealistic for their abilities or development
- Seeming to purposely isolate the child, including removing them from school or other activities, or
- Offering conflicting, unconvincing or no explanation for injuries or events.

When you notice one or more signs, you may be unsure whether abuse has occurred and whether you need to report. However, you should think critically about what else you know and what you have observed from that child and family.

Never second guess yourself if you believe a child has been abused. However, if there is a question in your mind and the family involved happens to be a family of color, consider if you have a personal bias.

Listen, observe and report

Always pay close attention when a child tells you about being abused.

If possible, document and report the following:

- Names and addresses of the child and parent
- The child's age
- The type and extent of abuse, as well as any previous evidence of abuse
- The explanation given for the abuse
- Any other information that will help establish the cause of abuse or identify the abuser
- Whether the child has Native American or Alaska Native heritage
- If there are cultural or language considerations, and
- A description of the child's disability or any special needs.

You should also provide names and contact information for non-custodial parents, siblings and other children and/or adults living in the home.

Additional useful information, if you have it, may include:

- Name of school or childcare

- The family's preferred language and whether an interpreter is needed
- Any concerns regarding the safety of a worker assigned to assess the child's situation
- General functioning of the child including medical diagnosis, disabilities or unique care needs
- Observations or statements made to you or others about the child's functioning
- Information that leads you to suspect domestic violence
- Observations or concerns about substance use
- Indications of mental health concerns for the parent, caregiver or child, or
- Anything that seems to affect the parents' ability to adequately and safely respond to the child's needs.

If you or someone else has discussed other concerns with the family, report the reaction and what steps were taken to address the situation with the family.

You do not need to know the name of the alleged perpetrator before you make a report. Again, this is helpful information if you have it, but you are required to report concerns even when you do not have all the information.

Also, the more quickly you get the information to the Oregon Child Abuse Hotline, the more likely Child Welfare can respond effectively. Bruises and other physical marks can fade quickly, and it is important for Child Welfare to have a complete picture as soon as possible. All reporters must make child abuse reports immediately, without delay.

Indian Child Welfare Act

Federal law and Oregon law require Child Welfare to identify any Native American and/or Alaska Native ancestry related to the child and their biological parents. It is critical to know whether the child or parents are Native American and with which Tribes they affiliate.

- The law states that federally recognized Tribes have a right to intervene in cases involving members or possible members of their Tribe.
- Oregon state law affirms our commitment to work with Tribes to ensure the safety and well-being of their children and families. Child Welfare works closely with Tribes to make sure this occurs.

What information can I get from DHS after I make a report?

When you make a report, the hotline screener must notify you whether the report will be documented and assigned for CPS assessment. Sometimes the hotline screener may not immediately know the decision until consulting with their supervisor. Because the law requires that we keep information about child abuse reports confidential, you might not be told details of the abuse or the assessment.



However, we will try to give you information to the extent the law allows, including information you need to continue helping the child.

The hotline screener that determines a report will be assigned must notify you that the CPS worker will try to inform you:

- If contact with the alleged victim was made
- If abuse occurred, and
- Whether services will be provided.

When a hotline screener determines a report will be closed at screening, the hotline screener must notify you of the following:

- Contact with the alleged victim will not be made.
- An abuse determination will not be made.
- A decision will be made of whether services will be provided.

If I see a suspicious mark on a child, should I investigate it?

Additional information is valuable. However, it is not your responsibility to investigate the situation. If you have concerns, it is appropriate for you to engage the child in a conversation to seek more information.

- It is essential to only use the child's own words when clarifying.
- Be curious and unassuming. "Tell me more about that ..." or "Why did that happen?" are both open-ended questions that can allow a child to share as much information as they are comfortable doing.
- If the explanation does not seem to fit the injury, make a report.

Your questions about the mark should depend on what is appropriate for your job. For example:

- As a doctor or nurse, it is good medical practice to ask about your patient's injuries.
- As a teacher, you might routinely comment on children's injuries (e.g., showing sympathy for Richard's leg that was broken when he went skateboarding). It would then be appropriate to comment on injuries you think might be from abuse and listen to the child's response while using open-ended questions.

Do I have to prove abuse occurred?

No. The law clearly states you must report any reasonable cause to believe a child you came in contact with has been abused. Then, either a CPS-trained worker or a law enforcement officer will conduct an assessment. Even if the assessment leads to the conclusion that the abuse report was unfounded, it still was appropriate for you to make the report.

What if I'm not sure it's abuse?

If you have questions about whether or not to report, please call the Oregon Child Abuse Hotline at 1-855-503-SAFE (7233). A hotline screener will gather information from you and determine Child Welfare's response.

Sometimes different people have different information about a child. You might be the second or third person to call about a particular child, giving Child Welfare the critical piece we need to help.

How should I respond to a child who reports being abused or neglected?

Do:

- Remain calm. A child may retract information or stop talking if they sense a strong reaction.
- Find a private and quiet place to talk without interruptions.
- Listen intently and follow up with “then what happened?” to allow the child an opportunity to use their own words to describe the situation.
- Put the child at ease by sitting near them, not behind a desk.
- Ask permission before touching the child. Touch may be associated with physical or emotional pain in children who have been physically or sexually abused.
- Reassure the child they are not in trouble.
- Use the child’s vocabulary.
- Let the child know what you will do: “We need to tell someone who knows how to help children and families.” Support the child: “I’m sorry that happened to you.”
- Do what you can to make certain the child is safe from further abuse.

Do not:

- Press for details. You do not need to prove abuse or neglect. It is traumatizing for children to share their story with multiple people. Every effort is made to reduce this trauma by professionals working together so children don’t have to experience multiple interviews.
- Ask “why” questions. These questions require children to explain actions that they may or may not understand.
- Promise that you will not tell anyone about the child’s disclosure of possible abuse or neglect.
- Ask leading or suggestive questions.
- Make angry or critical comments about the alleged perpetrator. The child often knows, loves or likes this person.
- Disclose information indiscriminately. Keep in mind the child’s right to privacy.

- Make the child feel different or singled out.
- Promise you will make sure it never happens again or that they will not have to return to their abuser. You can tell them you will support them in the process.
- Investigate a case yourself. Call the police or CPS.

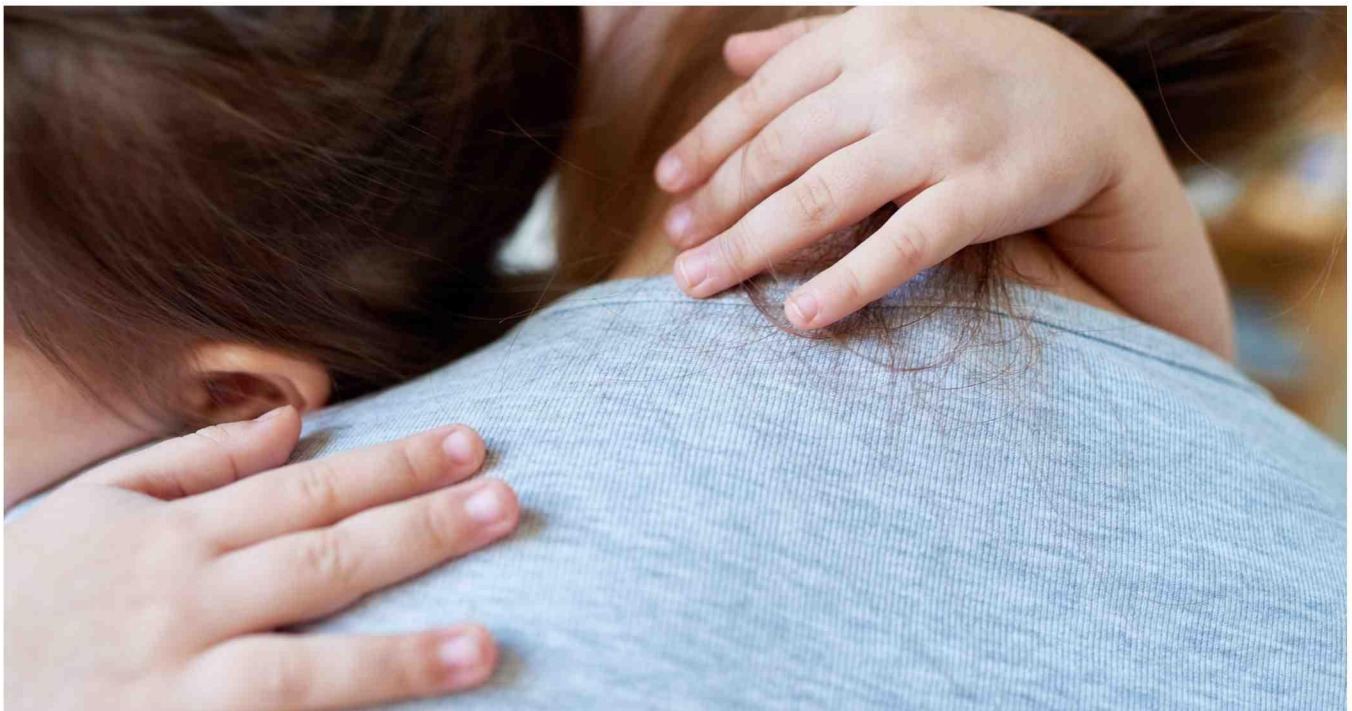
How will a child react after a report is made?

Even if abuse has occurred, it may be hard for the child to admit he has been abused. It will be even harder for him to keep telling his story to the social workers, police officers, lawyers and others who may be involved in an abuse case.

How his family reacts will greatly affect how he reacts. Sometimes the non-abusing parent will immediately believe his story and support him. Sometimes parents or siblings do not believe him and pressure him to change his story.

Children are usually not placed away from their homes when abuse is found. However, if a placement is necessary, DHS will make every effort to maintain the child's ties to family, friends, schools and their community.

All children react to stress differently. Some may act out or become withdrawn. It is important to realize that the period after an abuse report is made is very difficult for children. They need special attention and care from you.



Importance of reporting abuse

If you witnessed possible abuse, you are the responsible reporter. You cannot ask someone else to make this report for you.

By providing your name, relationship to the child or family and contact information, you have met your responsibility as a mandatory reporter. You have allowed Child Welfare staff to contact you if needed.

Mandatory reporters can be sued for damages in civil court for failing to report. Also, a mandatory reporter's failure to report is a violation of the law and carries a maximum penalty of \$2,000.

In Oregon and in most other states, laws keep the names, addresses and other identifying information about the person who makes a child abuse report confidential. A small number of cases may involve criminal or juvenile court action; you may be called as a witness.

After I report, will my name be made public?

A court order is the only way a reporter's name can be released. However, you might have to testify at juvenile court or criminal court proceedings about the child's condition.

Can the parent sue me for making a report?

Anyone who makes a good-faith report based on reasonable grounds cannot be sued.

What if the abuse happened a long time ago?

You should still report it. The abuser may have access to other children, so their earlier history could be important. There is no statute of limitations on reporting child abuse.

Should I make a report to my supervisor?

As a mandatory reporter, you must report to the Oregon Child Abuse Hotline or a law enforcement agency. Telling your supervisor does not fulfill your legal obligation.

Your employer may have internal policies asking you to inform your supervisor or other staff members. That is fine as long as you also make a formal report to the Oregon Child Abuse Hotline or law enforcement. It is important that we talk to the person closest to the original source of information so we can get all relevant details.

How many cases of abuse are reported?

[The Child Welfare Data Book](#) is the Department of Human Services' annual report of Oregon child abuse and neglect statistics.

How important is my report?

In some cases, especially for small children, you may be the only person outside their family who sees them. The information you have is vital.

Who decides what child abuse is?

Child abuse is defined by law in Oregon Revised Statute 419B.005.

Can other people report abuse?

Yes. Anyone can report suspected abuse. They will be asked for the same information we need from mandatory reporters.

Voluntary reporters also cannot be prosecuted as long as they make the reports in good faith.

Individuals sometimes want to report anonymously because they don't want family members to know they were involved. A reporter's name can only be released by a court order.

Barriers to reporting abuse

Why don't people report suspected abuse?

Centers for Disease Control and Prevention (CDC) research indicates most people (58 percent) say they are reluctant to call because they fear they would make the situation worse for the child.(3) DHS makes every effort to support families and ensure children's safety through services, resources and safety planning when appropriate.

CDC estimates that at least one in seven children have experienced child abuse and/or neglect in the past year. Other individuals (35%) believe they may be at risk of harm if they intervene. In Oregon, all reporters are protected by law. Reporters who are concerned about their own safety are encouraged to make an anonymous call. (3)

The remaining survey participants believe "it is none of my business." These feelings, though common, do not focus on protecting a child in danger. A late report or one that is not made may place a child's life in jeopardy. (3)

We have a shared role in ensuring Oregon's children are protected.

The Child Protective Services (CPS) process

Screening

Specially trained staff called hotline screeners accept reports of suspected child abuse. Hotline screeners and their supervisor determine if the report meets criteria for documentation. If those criteria are met, the hotline screener determines whether the concern requires assessment. At any time, the hotline screener can consult with their supervisor to ensure consistent decision-making.

Every report that the Oregon Child Abuse Hotline receives will fall into one of five categories:

- Information only
- Referral to other services
- Not a situation of child abuse
- Family support services needed, or
- Possible child abuse.

Not all reports are assigned for CPS assessment. When the hotline screener determines the information gathered does not meet criteria to assign, the report may be closed at screening. The information is still recorded. If a future report is made about any child or adult in the family, the previously reported information can be reviewed.

Child Protective Services (CPS)

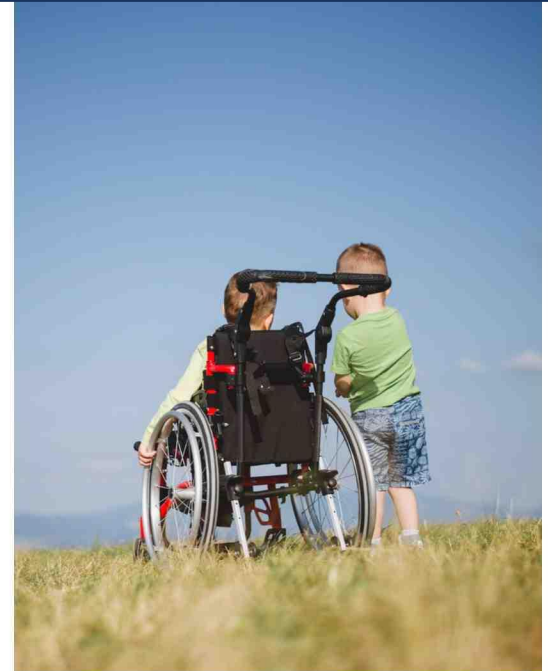
When the report is assigned for CPS assessment, this means Child Welfare assigns someone called a CPS worker to meet with the child and family. They will determine whether abuse occurred and whether a child is safe or unsafe. CPS is responsible for assessing, investigating and intervening in cases of child abuse. The CPS worker assigned to the child and family may contact you to discuss your concerns.

It is the role of Child Welfare to intervene when a report of alleged abuse is received. If child abuse occurred, our first responsibility is to protect the child from immediate harm. A process for determining the child's safety considers the type of abuse, the vulnerability of the child and the family's ability to protect the child. The child should remain at home with their family when the child can be safe. In most cases, the family

is willing and able to protect the child from further abuse and no Child Welfare intervention is necessary.

When a child cannot remain safely in their parent's care, Child Welfare, law enforcement or the courts may determine a child should enter care. The court must authorize the child's entry into care. If the safety of a child cannot be assured in the home, an out-of-home safety plan is developed. When this is necessary, DHS will first consider whether a relative can provide safety. Placement with relatives is a priority for Child Welfare to ensure children maintain essential familial connections.

If foster care is needed, Child Welfare works to ensure it will be family-based, time-limited, culturally responsive and designed to better stabilize families. The agency prioritizes children and young adults being placed in the care of family, friends and neighbors whenever possible. This helps children maintain connections to their cultures, communities and tribes.



When is a Child Protective Services assessment closed?

Many factors determine the outcome of a CPS assessment. Not all children receiving a safety assessment are found to be unsafe or abused.

A CPS assessment may be closed for several reasons:

- The CPS assessment has determined there are no safety threats and children are safe.
- When children are found to be safe during the CPS assessment, but the family has moderate to high needs, a community referral for services will be made. The family may choose to participate in these services.
- The CPS assessment does not identify information sufficient to request juvenile court intervention, or the juvenile court declines to intervene and the parents do not request or agree to cooperatively receive services.
- The CPS assessment was concluded and a child determined to be unsafe. DHS will continue working with the family on a cooperative or court involved basis.

Does DHS prosecute parents who are abusive?

No. Only a district attorney can prosecute a crime. District attorneys receive reports of possible criminal behavior from law enforcement officers and decide whether to pursue prosecution.

Even though you may have concerns about a child, it's not always clear whether abuse is taking place. Let's take a closer look at the definitions of child physical abuse, sexual abuse, neglect, mental injury and threat of harm.

Physical abuse

Oregon law defines physical abuse as any assault of a child and any physical injury to a child caused by other than accidental means, including any injury that appears to be at variance with the explanation given of the injury. In Oregon, Karly's Law provides direction around what types of injuries lead to suspicion of abuse.

Suspicious physical injuries include, but are not limited to:

- Burns or scalds
- Extensive bruising or abrasions on any part of the body
- Bruising, swelling or abrasions on the head, neck or face
- Fractures of any bone in a child under the age of 3
- Multiple fractures in a child of any age
- Dislocations, soft tissue swelling or moderate to severe cuts
- Loss of the ability to walk or move normally according to the child's developmental ability
- Unconsciousness or difficulty maintaining consciousness
- Multiple injuries of various types
- Injuries causing serious or protracted (long-lasting) disfigurement or loss of impairment of the function of any bodily organ
- Any other injury that threatens the physical well-being of the child.

Bruising

Bruises on bony surfaces such as knees, shins, foreheads or elbows are more likely to be accidental than those occurring on the cheeks, buttocks or stomach.

Most falls produce one bruise on a single surface, while abusive bruises frequently cover many areas of the body.

Any bruising seen on babies who are not yet mobile is suspicious.

Head and facial injuries

Any suspicious head or facial injuries could be the result of abuse. Abusive head trauma (AHT), which includes shaken baby syndrome, is a severe form of abuse that results in injury to a child's brain. (4) AHT is related to one-third of all child maltreatment deaths and is the leading cause of physical child abuse deaths in children under age 5 in the United States. It is caused by violent shaking or being hit with blunt impact. The resulting injury can cause bleeding around the brain or on the inside back layer of the eyes. Long-term consequences for child development can be severe and include death.

The mouth is a common target for abuse. Injuries to this area include bruises, burns, split lips, broken teeth, torn frenulum (a fold of skin beneath the tongue, or between the lip and the gum), and even fractures of the jaw.

Broken and fractured bones

A broken or fractured bone that is not explained by the history given in an examination could relate to child abuse. Falls and accidents occur, but noting the severity or type of injury, parental explanation, child explanation and/or witness description will help you understand if the parent or caregiver intentionally or recklessly caused the harm.

Burns and scalds

Children accessing burners, lighters, stoves and fireplaces without appropriate precautions may indicate neglect. An adult may also inflict a burn upon a child, indicating physical abuse.

Internal injuries

The abdomen is the third most injured region of the body, after the head and limbs. Abdominal trauma can be hard to recognize. It is also extremely dangerous with a mortality rate as high as 8.5%. (5) Although there are no absolute guidelines for symptoms of internal injuries, here are some common indicators:

- Pain in stomach, chest or any internal area
- Bruises on the chest or stomach
- Distended, swollen abdomen
- Tense abdominal muscles

- Labored breathing
- Severe chest pain while breathing
- Nausea or vomiting (especially blood).

Is spanking child abuse?

Though controversial, there are numerous studies indicating spanking and other forms of physical discipline create long-term harm for children. (6) These effects include increased risk of negative behavioral, cognitive, psychosocial and emotional outcomes for children. (7)

“Children who see aggression practiced by their role models will imitate the behavior. Indeed, it is an ironic aspect of the prevalence of spanking that the practice, employed most often to reduce child aggression, per the evidence actually increases it.” (8)

Many parents today experienced spanking while growing up. However, knowing what we do now about child development, avoiding physical punishment and using other discipline solutions is in the best interests of children.



Sexual abuse and sexual exploitation

As defined in Oregon law, sexual abuse includes:

- Rape of a child, which includes but is not limited to rape, sodomy, unlawful sexual penetration and incest, as those acts are described in ORS chapter 163
- Sexual abuse, as described in ORS chapter 163
- Sexual exploitation, including but not limited to:
 - Contributing to the sexual delinquency of a minor, as defined in ORS chapter 163, and any other conduct which allows, employs, authorizes, permits, induces or encourages a child to engage in the performing for people to observe or the photographing, filming, tape recording or other exhibition which, in whole or in part, depicts sexual conduct or contact, as defined in ORS 167.002 or described in ORS 163.665 and 163.670, sexual abuse involving a child or rape of a child, but not including any conduct which is part of any investigation conducted pursuant to ORS 419B.020 or which is designed to serve educational or other legitimate purposes, and
 - Sex trafficking, including allowing, permitting, encouraging or hiring a child to engage in a commercial sex act, or to purchase sex with a minor.

Under Erin's Law, school districts are required to teach students personal body safety and how to speak up if they are being abused. Through an approach that includes education for children, school personnel and parents and guardians, we learn the signs of abuse and how to empower children. For more information, go to <http://www.erinslaw.org/erins-law/>.

Why do children keep quiet about being sexually abused?

Persons who sexually abuse children rely on many methods to coerce children to keep quiet. The abuser may be subtle, telling the child he is doing it for her own good or promising them favors or gifts. Or methods might be more blatant, such as a parent warning their child if they tell anyone, the family will be broken up and everyone will blame the child.

The abuser may convince the child they are an equal partner, that the parent has special affection for them and that the child will be blamed if disclosure is made.

Many abusers use threats: telling the child their pets will be hurt, that siblings will be targeted, or even the child will be killed if they tell.

Children need adults to provide their basic needs: food, a place to live, clothing, access to family and loved ones. Abusers deliberately exploit that dependency to make children submit to them.

Do children lie about being abused?

Research and experience show that children very rarely lie about the details of a sexual act they have not experienced. It is much more common for adults to minimize concerns or misinterpret a situation.

What is sexual abuse of teens?

Oregon law does not make all sexual activity of a teen under the age of 18 illegal.

For teens, evidence of sexual activity may be a potential indicator of sexual abuse. Consenting sexual relationships imply that both partners have the ability and capacity to make an informed choice without fear of harm or pressure. However, many teens do not have a clear understanding of the difference between consensual and abusive relationships.

Factors to consider in determining whether a relationship may be abusive include:

- If force is used
- If there is impaired mental or emotional capacity
- If drugs or alcohol affect the ability to make a reasonable choice
- If there is manipulation, intimidation, implied threats or other forms of coercion
- If there is a distinct power or age difference.

Sexual exploitation

Sexual exploitation is using children in a sexually explicit way for personal gain; to make money, for drugs or for any other good or service. Victims or perpetrators can be any age or gender. Commercial sex trafficking involves violence and control. It can be deadly. Sexual exploitation also includes using children to create pornography.

Neglect

What is neglect?

Neglect of a child includes, but is not limited to, the failure to provide adequate food, clothing, shelter or medical care that is likely to endanger the health or welfare of the child.

Neglect also includes buying or selling a person under the age of 18. This includes buying, selling or trading for legal or physical custody of a child. This does not apply to legitimate adoptions or domestic relations planning.

Neglect can be permitting a child under 18 to enter or remain in or upon premises where methamphetamines are being manufactured.

Finally, neglect can mean unlawful exposure of a child to a controlled substance, or to the unlawful manufacturing of a cannabinoid extract that subjects a child to a substantial risk of harm to the child's health or safety.

Neglect is the most prevalent form of abuse in children and has the farthest-reaching impact on all areas of normal development. Adverse brain and cognitive development, attachment, and physical and mental health consequences are all linked to parents' or caregivers' lack of responsiveness to their child's needs. In the United States, neglect accounts for 78% of all child maltreatment cases, far more than physical abuse (17%), sexual abuse (9%) and psychological abuse (8%). (9) Nationally, more than a quarter of victims are younger than 3 years old. (10)

Standards for supervision and protection

Parents must provide adequate supervision, care, guidance and protection to keep children from harm. Parents must also provide appropriate treatment for children's special needs.

Children will have minor injuries during childhood. However, when accidental injuries are frequent, they may be the result of neglect.

Neglect includes exposing a child to illegal activities such as:

- Encouraging a child to participate in drug sales, theft, etc.
- Exposing a child to parental substance misuse, theft, etc.
- Encouraging a child to use drugs or alcohol.

Leaving a child home alone

There are several considerations when determining if a child is physically, mentally, developmentally and emotionally ready to be left alone. Look at every child individually to make sure they are able to handle the given responsibility. The law does not specify the age at which a child can be left alone. However, in Oregon, a child younger than age 10 cannot be left unattended for a period of time that may likely endanger their health or welfare (ORS 163.545).

The Child Welfare Information Gateway resource “Leaving Your Child Home Alone” (11) provides guidance surrounding this decision. Parents and caregivers will want to consider the following:

- **Age and maturity** — Age alone does not determine readiness. Evaluate the child’s maturity. Have they demonstrated responsible behavior in the past? How do they respond to stressful situations? Do they feel comfortable being alone?
- **Circumstances** — When and how a child is left alone can make a difference. Consider the length of time they will be alone, the time of day, whether food preparation will be required? Also, does the child know how to lock the door, call for help or respond if a visitor comes to the door?
- **Safety skills** — Knowing what to do and how to respond to emergencies is an essential skill. Is there a plan for emergencies? Do they know their full name, address and phone number? Does the child know how to reach their parent or caregiver?
- **Communication** — Does the child have access to a phone, computer or tablet? Do they have the skills to call 911?

Standards for shelter

A report is required when a parent provides living conditions that are unsanitary, hazardous or dangerous to the point they have or could compromise a child’s health or safety. Utilities such as drinking water, sanitary facilities and space for sleeping contribute to a safe environment. Poverty, unemployment and lack of affordable housing are commonly recognized causes of homelessness. Personal vulnerabilities such as mental and substance use disorders, trauma and violence, domestic violence, justice-system involvement, sudden serious illness, divorce, death of a partner, and disabilities can intensify these risk factors. (12) A family experiencing residential instability or poverty does not require Child Welfare intervention when the parent or caregiver has ensured the child’s health and safety needs are being met.

Medical neglect

Children need adequate medical, dental and mental health care services. A medical situation that may result in serious impairment, pain or death of the child may be medical neglect. CPS can intervene.

Religious beliefs about spiritual care are generally honored, except when the child's life is in danger. CPS may intervene if a parent refuses medical attention in a serious or life-threatening situation.

Malnutrition and failure to thrive

Children may experience a failure to thrive when environmental factors impede healthy growth. Poor eating habits (eating in front of television) and economic problems that affect nutrition, living conditions and parental attitudes are contributors. (13)

A child's growth can also be affected by emotional deprivation caused by parent or caregiver rejection, anger or lack of bonding and attachment. Children who experience chronic malnutrition may be globally delayed; some of the long-term consequences may be learning difficulties and delay in language skills.

Mental injury

Mental injury is any mental injury to a child that includes an observable and substantial impairment of the child's mental or psychological ability to function caused by cruelty to the child. Whether intentional or unintentional, cruelty refers to behaviors that communicate rejection or are threatening, intimidating, disparaging or humiliating to the child or young adult.

As a reporter, providing descriptions regarding any changes observed in the child's functioning, or statements the child has made, will help the hotline screener understand the effect on the child. Direct impact, or the cause and effect, may not be known. However, you are still required to report your observation and concerns.

Threat of harm

Threat of harm to a child means subjecting a child to a substantial risk of harm to their health or welfare.

Threat of harm includes all behaviors, conditions and circumstances that place a child at high risk or high likelihood of being abused. Substantial risk refers to a significant or high risk of the harm occurring.

Some examples of threat of harm are:

- A child living with or cared for by a person who has a past conviction for child abuse and whose current behavior, condition and circumstances present a substantial threat to the safety of a child
- A newborn whose parent's current mental or behavioral condition indicates a lack of skills necessary to provide adequate care even though the child has not suffered harm
- A child whose parent or caregiver has caused death or severe harm to another child through physical abuse and whose behaviors, conditions or circumstances have not improved.

Domestic violence and child abuse

Children can also experience threats when domestic violence occurs. Domestic violence means a pattern of coercive behavior, which can include physical, sexual, economic and emotional abuse that an individual uses against a past or current intimate partner to gain power and control in a relationship. It is present in all cultures, socioeconomic classes and communities of faith.

It is necessary to report to DHS or law enforcement when there is reasonable cause to believe:

- There is current domestic violence or the alleged perpetrator has a history of domestic violence, and
- One of the following:
 - The child will intervene or is intervening in a violent situation, placing them at a risk of substantial harm.

- The child is likely to be harmed during the violence (being held, physically restrained from leaving, etc.).
- The alleged perpetrator is not allowing the adult caregiver and child access to basic needs, affecting their health or safety.
- The alleged perpetrator has killed or inflicted substantial harm or is making a believable threat to do so to anyone in the family, including extended family members and pets.
- The child's ability to function on a daily basis is greatly impaired by being in a constant state of fear.

When domestic violence is occurring in the home, some reporters describe the following:

- Children are afraid, withdrawn or anxious, overly compliant or over-achievers, or have behavioral problems.
- The adult survivor:
 - Is rarely seen without their partner
 - Exhibits changes in behavior such as depression or anxiety
 - Has limited access to money or other resources
 - Appears to have injuries or makeup used to cover injuries
 - Is afraid to leave their children alone with their partner, or
 - May be isolated, have little support, and be controlled by their partner's choices.
- The abusive partner is:
 - Jealous, blaming or resentful
 - Entitled or has a sense of superiority
 - Sarcastic or petty, or
 - Deceitful or overly charming.

These individuals may use threats, emotional abuse and physical injuries to control and influence their partner.

Often a safety plan can be developed to ensure children are safe and together with the non-offending parent.

Oregon resources

Families often come in contact with DHS Child Welfare because they need help. Here are some helpful resources:

Oregon Child Abuse Solutions

[Oregon Child Abuse Solutions](#) has partnered with local communities and their experts for more than 25 years to strengthen solutions for child abuse. Oregon Child Abuse Solutions is Oregon's only statewide 501(c)(3) non-profit agency that fights to end all forms of child abuse by ensuring high-quality prevention, intervention and therapeutic services for children. Call 503-455-8339 or email info@childabuseintervention.org for information about child abuse intervention, healing and prevention.

Safe Families

Safe Families for Children (SFFC) hosts vulnerable children and creates extended family-like support for desperate families with nowhere to turn. Through a community of devoted volunteers motivated by compassion, children are kept in a safe and loving home with the goal of returning to their parents. Call Safe Families at 1-855-240-6607.

211info

[211info](#) connects people with health and social service organizations. The Community Information Center, supported by the Resource Database Team, is at 211info's core. 211info has expanded to include enhanced information and referral and assistance programs that target specific services.

Adverse Childhood Experiences

Knowledge of Adverse Childhood Experiences (ACEs) can deepen your understanding of the factors that shape children and families and their lifelong health. You can learn more about preventing ACEs in your community by assuring safe, stable nurturing relationships and environments. For more information, access the CDC site [here](#).

Implicit Association Test

The Implicit Association Test (IAT) is accessible through [Project Implicit](#).

If you think someone is being hurt or is in danger, call 911 immediately.

Report suspected child abuse to the Oregon Child Abuse Hotline at 1-855-503-SAFE (7233) or a law enforcement agency.

Endnotes

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500 Summer Street NE
Salem, Oregon 97301

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PHILOMATH CITY COUNCIL
MEETING MINUTES
Philomath City Hall Council Chambers
August 12, 2024

A. ROLL CALL

Meeting called to order at 7:02 p.m. by Mayor Chas Jones.

Present:

Mayor Chas Jones
Councilor Jessica Andrade
Councilor Ruth Causey
Councilor Diane Crocker
Councilor Matt Lehman
Councilor Christopher McMorran
Councilor Teresa Nielson

Absent:

Staff Present:

City Manager Chris Workman
Assistant City Manager Chelsea Starner
Public Works Director Kevin Fear
City Recorder Ruth Post

Absent:

B. PRESENTATION

Start Time: 7:04 p.m.

1. Twenty-year Service Recognition – Senior Utility Worker Mike Vencill was honored for twenty years of service to the City.

C. PROCLAMATION

Start Time: 7:09 p.m.

1. Resolution 24-18, Age-friendly Communities Proclamation
 - Resolution introduced by Inclusivity Committee Chair, Councilor McMorran.
 - Involvement of Inclusivity Committee in future process steps discussed.

Action: To approve Resolution 24-18 for an Age-Friendly Community with Scrivner's corrections and with the amendment of the sixth WHEREAS statement to insert after "cohesive" the words "and responsive".

Motion/Second: Councilor Causey/Councilor Andrade

Vote: Action APPROVED 7-0 (Yes: Andrade, Causey, Crocker, Lehman, McMorran, Nielson and Jones; No: None).

- Councilor McMorran read the proclamation into the record.

D. PUBLIC COMMENTS

Start Time: 7:15 p.m.

1. None.

E. CONSENT AGENDA

Start Time: 7:16 p.m.

- City Council Minutes of July 22, 2024

Action: To approve the Consent Agenda as presented.

Motion/Second: Councilor Andrade/Councilor Causey

1 Vote: Action APPROVED 7-0 (Yes: Andrade, Causey, Crocker, Lehman,
2 McMorrان, Nielson and Jones; No: None).
3

4 **G. NEW BUSINESS**

5 Start Time: 7:17 p.m.

6 1. Water Treatment Plant Membrane Filtration Equipment Purchase

- 7 • Public Works Director Fear summarized the current status of the water treatment
8 plant and reservoir project and the next steps.
9 • Peter Blumanthal, Westech Engineering, summarized the expectations from the
10 purchase of the membrane filtration system.
11 • Other recent purchasers from this vendor were identified as Bend, Cottage Grove,
12 Creswell, Jefferson and St. Helens.
13 • Benefits of having experienced operators from other area cities described.
14

15 Action: To award the membrane filtration contract to Aria Filtra for \$2,675,163.00.

16 Motion/Second: Councilor Causey/Councilor Crocker

- 17 • Councilor McMorrان stated he would be touring the Bend plant during the upcoming
18 LOC Conference.

19 Vote: Action APPROVED 7-0 (Yes: Andrade, Causey, Crocker, Lehman,
20 McMorrان, Nielson and Jones; No: None).
21

22 Start Time: 7:23 p.m.

23 2. City Logo and Website Redesign Update

- 24 • Assistant CM Starner reviewed needs for website platform update and basis for new
25 City logo design.
26 • Process and timing for selections discussed.
27 • Council representation on City logo redesign team discussed.
28

29 Action: To appoint Ruth Causey and Christopher McMorrان to represent the City
30 Council on the City logo redesign team.

31 Motion/Second: Councilor Nielson/Councilor Crocker

32 Vote: Action APPROVED 7-0 (Yes: Andrade, Causey, Crocker, Lehman,
33 McMorrان, Nielson and Jones; No: None).
34

35 Start Time: 7:31 p.m.

36 3. Philomath Community Services (PCS) Funding Request

- 37 • CM Workman summarized the request for funding outside of the usual Social
38 Service Agency grant application process as received from PCS.
39 • Discussion about coordination of City offers to provide assistance and timing of PCS
40 contract with Hughes Excavating.
41 • Discussion about the benefits of PCS and options that may have been available to
42 remedy parking lot issues.
43 • Safety and accessibility issues related to parking lot described by Councilor Nielson
44 along with budget concerns.
45 • Discussion about timing of Social Service Funding grants and impact of water
46 treatment plant project discussed.
47

48 Action: Moved to provide Philomath Community Services \$6,000 to support
49 improving the south parking lot area of their facility.

50 Motion/Second: Councilor Causey/Councilor Nielson
51

- 52 • Discussion about where the funding would come from, including street funds, social
53 service agency grant funds or City Council funds.

- 1
2 Action: Amend action to stipulate the funding come from the social service
3 agency grant funds.
4 Motion/Second: Councilor Causey/Councilor Nielson
5 Vote: Approved 7-0 (Yes: Andrade, Causey, Crocker, Lehman, McMorran,
6 Nielson and Jones; No: None).
7
8 Vote: Amended action APPROVED 6-1 (Yes: Andrade, Causey, Crocker,
9 McMorran, Nielson and Jones; No: Lehman).

10 Meeting recessed 7:48 p.m. to 7:51 p.m.

11
12
13 **G. RESOLUTIONS AND ORDINANCES**

14 Start Time: 7:51 p.m.

15 1. Ordinance #885 Phelps Annexation

- 16 • CM Workman reviewed the annexation decision made on July 22, 2024.
17 • Brief discussion about getting North 9th Street upgraded to City standards at some
18 point.
19 • City Recorder Post read the ordinance by title.

20 Roll Call Vote: Ordinance APPROVED at first reading 7-0 (Yes: Andrade, Causey, Crocker,
21 Lehman, McMorran, Nielson and Jones; No: None).
22

23 **H. REPORTS OF BOARDS, COMMISSIONS, COMMITTEES, COUNCIL LIAISONS AND**
24 **STAFF**

25 Start Time: 7:57 p.m.

26 1. Management Report

- 27 • CM Workman reviewed the report in the meeting agenda packet.
28 • An update on Millpond Crossing provided, including homes currently requesting
29 occupancy and homes with lot line adjustments to be completed.
30 • 15th Street and Applegate crosswalk safety concerns described and discussed.
31 • Status of psilocybin moratorium brought to attention of staff for potential action prior
32 to end of the year.
33 • Recent local power outages and need for information from Pacific Power discussed.
34 • Update on the Starlight Village generator discussed briefly.
35 • Safety and accessibility of bridge structures at Marys River Park brought to staff's
36 attention.
- 37 • Councilor Nielson provided an update on efforts to attract a grocery store and
38 requested feedback from Council.
39 • Councilor Andrade requested CM Workman talk to the City attorneys about cannabis
40 and status of housing project.
41 • Support expressed for City holding the line on certificates of occupancy for Millpond
42 Crossing.

43 2. Philomath Community Foundation

- 44 • Councilor Crocker provided an update on the number of scholarships provided to
45 high school seniors this year.

46 3. Wall Mural Art

- 47 • Mayor Jones described recent wall mural art projects in The Dalles.

48 4. Library Expansion

- 49 • Councilor McMorran reported on presentation to the Library Board on the status of
50 the Philomath Library project.
51

52 Start Time: 8:28 p.m.

53 2. Fourth Quarter Strategic Plan

- 54 • CM Workman provided a summary of the current status of plan actions.

- 1 • Discussion about impacts on budget of major project overages, reductions in reserve
- 2 funds, and general fund budget directions.
- 3 • Addition of projects to the Strategic Plan and budgeting described by CM Workman.
- 4 • Councilor Causey advocated for a closer monitoring of the budget by Council.
- 5 Discussion on topic of budget health and Council review of status.
- 6 • Challenges in use of volunteers to perform maintenance in City parks and inclusion
- 7 in next Strategic Plan discussed.
- 8

9 **I. ADJOURNMENT**

10 Meeting adjourned at 8:48 p.m.

11 SIGNED:

12 ATTEST:

13
14 _____
15 Chas Jones, Mayor

Ruth Post, MMC, City Recorder

DRAFT

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**PHILOMATH CITY COUNCIL
WORK SESSION NOTES
Philomath City Hall Council Chambers
August 12, 2024**

A. CALL TO ORDER - ROLL CALL

Work session called to order at 5:30 p.m. by Mayor Chas Jones.

Present:

Mayor Chas Jones
Council President Ruth Causey
Councilor Jessica Andrade
Councilor Diane Crocker
Councilor Matt Lehman
Councilor Christopher McMorran
Councilor Teresa Nielson

Absent:

Staff Present:

City Manager Chris Workman
Assistant City Manager Chelsea Starner
City Recorder Ruth Post

B. WORK SESSION

Start Time: 5:30 p.m.

1. Discussion of LOC Legislative Priorities
 - City Manager Workman introduced the annual review of possible legislative priorities for the Council to request that the League of Oregon Cities focus on.
 - Support for 2025 Transportation Package discussed.
 - Examples of Philomath-specific situations requested by CM Workman for possible public hearing testimony.
 - General discussion about values of different legislative topics.
 - Effects of recreational immunity legislative issue reviewed.
 - Community values of addressing energy affordability and infrastructure funding discussed.
 - Agreement to swap gas tax with cybersecurity and take the resulting top six to LOC.
 - Acknowledgement of Councilor Lehman's efforts to represent Philomath on local transportation planning organizations.
 - Progress by local small communities group to impact legislation in recent years reviewed by CM Workman, particularly wetlands and transportation.
 - CM Workman described other legislative efforts making a local impact.
 - Discussion on expectations for levels of local effort to impact legislation.
 - Use of LOC legislative resources discussed.
 - Value of testimony at the legislature discussed.
 - Value of having Cascades West Council or Governments become more legislatively involved described by CM Workman.
 - Format of local area metropolitan planning organizations described by Councilor Lehman.

- 1 **C. ADJOURNMENT**
- 2 1. Work session adjourned at 6:35 p.m.
- 3
- 4 Recorded by Ruth Post, MMC, City Recorder



City Council Agenda Item Summary

Title/Topic: Review of 2022-23 Audit Report for the City and related Governance letter, Management Letter and Compliance Report for the Single Audit Report.

Meeting Date: September 9, 2024
Staff: Mike Murzynsky

ISSUE STATEMENT

Approval and Recommendation of the 2022-23 Audit Report for the City and related Governance letter, Management Letter and Compliance Report for the Single Audit Report to the City Council

BACKGROUND

The 2022-23 Fiscal Year audit for the City is now complete and the reports are attached for review by the Committee. The results of the audit are as follows.

1. The City has received a clean or unmodified opinion. What this means is the City financials statements and related notes to the statements meet the generally accepted accounting principles (GAAP) and generally accepted auditing standard (GAAS) guidelines. In layman terms, the financials are in excellent condition!
2. The auditors have submitted the Single Audit report as part of the financials and within the City's financials there is a reportable condition for a significant deficiency; we were not in compliance with a condition of the contract with Oregon Business Development Department (OBDD) for the Water Treatment Plant construction. The staff has prepared a report on the condition, and it is part of the report.
3. Within the City financial statements there is a section called Oregon Compliance where the auditor reviews the city's compliance with Oregon Budget Law, Procurement, and internal controls to name a few that are reviewed. These are the ones that are laid out within the financials on pages 84 and 85. The Internal Control report is detailed in the Management Letter listed below.
4. 2022-23 Fiscal Year Ending fund balances as compared to the 2023-24 Fiscal Year Budget Beginning fund balances analysis are presented for review and comment. Of the operating funds (those funds with personnel) all are within range of the budgeted beginning balance and no budget adjustment is necessary; city staff will monitor them closely for the remainder of the year. However, the Water fund is in a negative position and an adjustment will need to be considered to correct it. The rates were increased this year, and another rate increase will more than likely need to be considered.
5. The Governance Letter is one that is presented to the Mayor and City Council at the end of each audit. It describes what the auditor completed to present the city with an unqualified or clean opinion. As part of the letter the City's Management Representation letter is attached to the Governance Letter. This letter describes what the City did to help the auditor complete the audit in a timely manner.

6. The Management Letter is one that is presented only when necessary so it is separate. This year the auditor is advising the city to add another internal control in the Finance Department. Monthly and annually the Finance Director creates and enters journal entries into the Caselle General Ledger system, and no one reviews their work. The auditors are recommending that the City Manager and/or the Assistant City Manager review the journal entries each month.
7. Overall, the audit was completed in a timely manner and the previous five items are normal processes of the audit. Yes, they are, in all appearances, a thorn in the side of the Finance staff but the staff accepts them and will make sure that the City will enact and comply with them.

Fiscal:

Not applicable

Staff Recommendation

Staff recommend the financial reports, single audit report, governance letter, and management letter for approval and recommendation to the Finance and Admin Committee.

SUGGESTED MOTION

WE ACCEPT AND APPROVE THE 2022-23 FINANCIAL REPORTS, RELATED REPORTS, GOVERNANCE LETTER, AND MANAGEMENT LETTER.

ATTACHMENTS:

2022-23 City Financial report (https://www.ci.philomath.or.us/vertical/sites/%7B2CFF016E-1592-4DB3-9E2B-444FA3EFC736%7D/uploads/City_Annual_Financial_Report_Year_Ended_06-30-2023b.pdf)

City fund listing for reporting purposes

2022-23 Ending Balance Analysis

2022-23 Governance Letter

2022-23 Management Letter



City of Philomath

City fund layout for the Annual Audit

Governmental

Number and name

- 10 General Fund
- 16 Development Review
- 21 Streets
- 22 Community Development
- 23 Urban Renewal Agency
- 32 Economic Development
- 41 Land, Building & Equipment
- 42 ** SDC – Governmental

Proprietary

Number and Name

- 43 ** SDC – Proprietary
- 51 Water
- 52 Wastewater
- 53 Storm Water

** SDC = System Development Charges

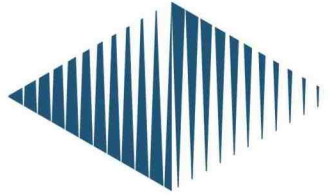
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CITY OF PHILOMATH - 2023-24 BUDGET WITH 2022-23 AUDITED ENDING BALANCES

2/2/2024 2:03 PM

	REVENUES	EXPENDITURES	REVENUES LESS EXPENDITURES	TRANSFERS IN	TRANSFERS OUT	Projected BEG BAL	Audited 2022-23 Ending Balances	CONTINGENCY	UNAPPROPRIATED	End Fund Balance
CITY										
10	4,069,031.00	4,122,041.00	(53,010.00)	-	287,892.00	2,341,120.00	2,022,518.00	241,218.00	-	1,758,999.00
16	152,000	152,000	-	-	-	1,291	11,690	-	-	1,291
21	724,227	738,297	(14,071)	69,652	234,101	327,057	447,153	104,500	-	44,037
22	31,208	110,000	(78,792)	-	-	121,376	120,079	-	-	42,584
32	43,884	47,746	(3,862)	-	-	12,901	12,762	-	-	9,039
41	10,088,203	12,554,556	(2,466,353)	1,541,440	-	5,113,142	5,887,926	4,188,229	-	-
42	518,993	341,100	177,893	-	-	2,339,533	2,436,884	254,000	-	2,263,426
43	655,905	115,000	540,905	-	250,000	2,900,318	2,903,255	500,000	-	2,691,223
51	1,804,391	1,154,041	650,350	-	507,904	41,501	(42,718)	117,127	-	66,820
52	1,635,064	1,406,278	228,786	250,000	551,195	582,753	577,057	135,866	-	374,478
53	101,056	66,668	34,388	-	30,000	48,838	63,323	30,000	-	23,226
URA										
23	824,785.00	819,640.00	5,145.00	-	-	15,202.00	506,369.00	-		20,347.00

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GROVE, MUELLER & SWANK

redw
Advisors & CPAs

January 2, 2024

Honorable Mayor and City Council
City of Philomath
P.O. Box 400
Philomath, Oregon 97370

We have audited the financial statements of the City of Philomath and Philomath Urban Renewal Agency (collectively known as the City) as of and for the year ended June 30, 2023 and have issued our report thereon dated January 2, 2024. Professional standards require that we advise you of the following matters relating to our audit.

Our Responsibility in Relation to the Financial Statement Audit

As communicated in our engagement letter dated June 12, 2023, our responsibility, as described by professional standards, is to form and express an opinion about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of the City solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

We have provided our findings regarding significant control deficiencies over financial reporting and material noncompliance, and other matters noted during our audit in a separate letter to you dated January 2, 2024.

Planned Scope and Timing of the Audit

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, and our firm have complied with all relevant ethical requirements regarding independence.

Significant Risks Identified

We have identified the following significant risks:

The possibility that management could override the system of controls. This risk is always identified and addressed by our planned audit procedures. This is not indicative of any unusual circumstances observed within your organization.

Qualitative Aspects of the City's Significant Accounting Practices

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by the City is included in the notes to the financial statements. There have been no initial selection of accounting policies and no changes in significant accounting policies or their application during the year ended June 30, 2023. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments.

The most sensitive accounting estimates affecting the District's financial statements are:

- Management's estimate of other postemployment benefit obligations is based on actuarial evaluations of future payment obligations based on a set of assumptions and factual information provided by the City.
- Management's estimate of capital asset depreciation expense is based on the original cost or estimated cost and estimated useful life of each asset.
- Management's estimate of pension expense (or revenue) is based on actuarial evaluations of future payment obligations based on a set of assumptions and factual information provided by the City.

We evaluated the key factors and assumptions used to develop the estimates and determined that they are reasonable in relation to the basic financial statements taken as a whole and in relation to the applicable opinion units.

Financial Statement Disclosures

Certain financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users. The financial statement disclosures are neutral, consistent, and clear.

Significant Difficulties Encountered during the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and Corrected Misstatements

For purposes of this communication, professional standards also require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole and each applicable opinion unit. No uncorrected misstatements were identified.

In addition, professional standards require us to communicate to you all material, corrected misstatements that were brought to the attention of management as a result of our audit procedures. None of the misstatements identified by us as a result of our audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole or applicable opinion units.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to the City's financial statements or the auditor's report. No such disagreements arose during the course of the audit.

Representations Requested from Management

We have requested certain written representations from management, which are included in the attached letter dated January 2, 2024.

Management's Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Matters, Findings, or Issues

In the normal course of our professional association with the City, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, operating and regulatory conditions affecting the City, and operational plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as the City's auditors.

Noncompliance with Laws and Regulations, Violations of Contract Provisions or Grant Agreements Over Expenditures

As part of the minimum standards testing required by the State of Oregon, we noted non-compliance with local budget law and with Oregon procurement laws as detailed in the financial statements.

This report is intended solely for the information and use of the City Council and management of the City of Philomath and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

Grove, Mueller & Swank

CERTIFIED PUBLIC ACCOUNTANTS



January 2, 2024

Grove, Mueller & Swank, P.C.
475 Cottage Street NE, Suite 200
Salem, OR 97301

This representation letter is provided in connection with your audit of the financial statements of the City of Philomath and the Philomath Urban Renewal Agency (collectively, the City) as of June 30, 2023, and for the year then ended, and the related notes to the financial statements, for the purpose of expressing opinions on whether the basic financial statements present fairly, in all material respects, the financial position, results of operations, and cash flows, where applicable, of the various opinion units of the City in accordance with accounting principles generally accepted for governments in the United States of America (U.S. GAAP).

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information such that, in the light of surrounding circumstances, there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

We confirm that, to the best of our knowledge and belief, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves as of January 2, 2024:

Financial Statements

- 1) We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated June 12, 2023, including our responsibility for the preparation and fair presentation of the financial statements in accordance with U.S. GAAP and for preparation of the supplementary information in accordance with the applicable criteria.
- 2) The financial statements referred to above are fairly presented in conformity with U.S. GAAP and include all properly classified funds and other financial information of the primary government and all component units required by generally accepted accounting principles to be included in the financial reporting entity.
- 3) We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
- 4) We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
- 5) Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable.
- 6) Related party relationships and transactions, including revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties have been appropriately accounted for and disclosed in accordance with U.S. GAAP.
- 7) Adjustments or disclosures have been made for all events, including instances of noncompliance, subsequent to the date of the financial statements that would require adjustment to or disclosure in the financial statements or in the schedule of findings and questioned costs.
- 8) The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with U.S. GAAP.

- 9) Guarantees, whether written or oral, under which the City is contingently liable, if any, have been properly recorded or disclosed.

Information Provided

- 10) We have provided you with:
 - a) Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as records (including information obtained from outside of the general and subsidiary ledgers), documentation, and other matters and all audit or relevant monitoring reports, if any, received from funding sources.
 - b) Additional information that you have requested from us for the purpose of the audit.
 - c) Unrestricted access to persons within the City from whom you determined it necessary to obtain audit evidence.
 - d) Minutes of the meetings of the City or summaries of actions of recent meetings for which minutes have not yet been prepared.
- 11) All material transactions have been recorded in the accounting records and are reflected in the financial statements and the schedule of expenditures of federal awards.
- 12) We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
- 13) We have no knowledge of any fraud or suspected fraud that affects the City and involves:
 - a) Management,
 - b) Employees who have significant roles in internal control, or
 - c) Others where the fraud could have a material effect on the financial statements.
- 14) We have no knowledge of any allegations of fraud or suspected fraud affecting the City's financial statements communicated by employees, former employees, regulators, or others.
- 15) We have no knowledge of instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or waste or abuse, whose effects should be considered when preparing financial statements.
- 16) We have disclosed to you all known actual or possible litigation, claims, and assessments whose effects should be considered when preparing the financial statements.
- 17) We have disclosed to you the names of the City's related parties and all the related party relationships and transactions, including any side agreements.

Government-specific

- 18) There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
- 19) We have identified to you any previous audits, attestation engagements, and other studies related to the objectives of the audit and whether related recommendations have been implemented.
- 20) We have identified to you any investigations or legal proceedings that have been initiated with respect to the period under audit.
- 21) The City has no plans or intentions that may materially affect the carrying value or classification of assets, deferred outflows of resources, liabilities, deferred inflows of resources, and fund balance or equity.
- 22) We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits and debt contracts, and legal and contractual provisions for reporting specific activities in separate funds.

- 23) We have identified and disclosed to you all instances of identified and suspected fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we believe have a material effect on the financial statements.
- 24) There are no violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance.
- 25) As part of your audit, you assisted with preparation of the financial statements and related disclosures of the auditee section of the Data Collection Form as required by the Uniform Guidance. We acknowledge our responsibility as it relates to those nonaudit services, including that we assume all management responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of the services performed; and accept responsibility for the results of the services. We have reviewed and approved and accept responsibility for the financial statements and related disclosures of the auditee section of the Data Collection Form before submission.
- 26) The City has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
- 27) The City has complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
- 28) The financial statements include all component units, appropriately present majority equity interests in legally separate organizations and joint ventures with an equity interest, and properly disclose all other joint ventures and other related organizations.
- 29) The financial statements include all fiduciary activities required by GASB Statement No. 84, as amended.
- 30) The financial statements properly classify all funds and activities in accordance with GAAP.
- 31) All funds that meet the quantitative criteria in GASBS Nos. 34 and 37 for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.
- 32) Components of net position (net investment in capital assets; restricted; and unrestricted) and classifications of fund balance (nonspendable, restricted, committed, assigned, and unassigned) are properly classified and, if applicable, approved.
- 33) Investments, derivative instrument transactions, and land and other real estate held by endowments are properly valued.
- 34) Provisions for uncollectible receivables have been properly identified and recorded.
- 35) Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
- 36) Revenues are appropriately classified in the statement of activities within program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.
- 37) Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.
- 38) Deposits and investment securities and derivative instrument transactions are properly classified as to risk and are properly disclosed.
- 39) Capital assets, including infrastructure and intangible assets, are properly capitalized, reported, and, if applicable, depreciated or amortized.
- 40) We believe that the actuarial assumptions and methods used to measure pension, OPEB, and self-insurance liabilities and costs for financial accounting purposes are appropriate in the circumstances.


- 41) We have appropriately disclosed the City's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available and have determined that net position is properly recognized under the policy.
- 42) We are following our established accounting policy regarding which resources (that is, restricted, committed, assigned, or unassigned) are considered to be spent first for expenditures for which more than one resource classification is available. That policy determines the fund balance classifications for financial reporting purposes.
- 43) We acknowledge our responsibility for the required supplementary information (RSI). The RSI is measured and presented within prescribed guidelines and the methods of measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.
- 44) With respect to the combining and individual fund financial statements and schedules, other financial schedules, and the schedule of expenditures of federal awards:
 - a) We acknowledge our responsibility for presenting the combining and individual fund financial statements and schedules, other financial schedules, and the schedule of expenditures of federal awards in accordance with accounting principles generally accepted in the United States of America, and we believe the combining and individual fund financial statements and schedules, other financial schedules, and the schedule of expenditures of federal awards, including its form and content, is fairly presented in accordance with accounting principles generally accepted in the United States of America. The methods of measurement and presentation of the combining and individual fund financial statements and schedules, other financial schedules, and the schedule of expenditures of federal awards have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.
 - b) If the combining and individual fund financial statements and schedules, other financial schedules, and the schedule of expenditures of federal awards is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the supplementary information no later than the date we issue the supplementary information and the auditor's report thereon.
- 45) With respect to federal award programs:
 - a) We are responsible for understanding and complying with and have complied with the requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance), including requirements relating to preparation of the schedule of expenditures of federal awards.
 - b) We acknowledge our responsibility for preparing and presenting the schedule of expenditures of federal awards (SEFA) and related disclosures in accordance with the requirements of the Uniform Guidance, and we believe the SEFA, including its form and content, is fairly presented in accordance with the Uniform Guidance. The methods of measurement or presentation of the SEFA have not changed from those used in the prior period and we have disclosed to you any significant assumptions and interpretations underlying the measurement or presentation of the SEFA.
 - c) If the SEFA is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the SEFA no later than the date we issue the SEFA and the auditor's report thereon.
 - d) We have identified and disclosed to you all of our government programs and related activities subject to the Uniform Guidance compliance audit, and have included in the SEFA, expenditures made during the audit period for all awards provided by federal agencies in the form of federal awards, federal cost-reimbursement contracts, loans, loan guarantees, property (including donated surplus property), cooperative agreements, interest subsidies, insurance, food commodities, direct appropriations, and other direct assistance.

- e) We are responsible for understanding and complying with, and have complied with, the requirements of federal statutes, regulations, and the terms and conditions of federal awards related to each of our federal programs and have identified and disclosed to you the requirements of federal statutes, regulations, and the terms and conditions of federal awards that are considered to have a direct and material effect on each major program.
- f) We are responsible for establishing, designing, implementing, and maintaining, and have established, designed, implemented, and maintained, effective internal control over compliance for federal programs that provides reasonable assurance that we are managing our federal awards in compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a material effect on our federal programs. We believe the internal control system is adequate and is functioning as intended.
- g) We have made available to you all federal awards (including amendments, if any) and any other correspondence with federal agencies or pass-through entities relevant to federal programs and related activities.
- h) We have received no requests from a federal agency to audit one or more specific programs as a major program.
- i) We have complied with the direct and material compliance requirements (except for noncompliance disclosed to you), including when applicable, those set forth in the OMB Compliance Supplement, relating to federal awards and confirm that there were no amounts questions and no known noncompliance with the direct and material compliance requirements of federal awards.
- j) We have disclosed any communications from federal awarding agencies and pass-through entities concerning possible noncompliance with the direct and material compliance requirements, including communications received from the end of the period covered by the compliance audit to the date of the auditor's report.
- k) We have disclosed to you the findings received and related corrective actions taken for previous audits, attestation engagements, and internal or external monitoring that directly relate to the objectives of the compliance audit, including findings received and corrective actions taken from the end of the period covered by the compliance audit to the date of the auditor's report.
- l) Amounts claimed or used for matching were determined in accordance with relevant guidelines in OMB's Uniform Guidance (2 CFR part 200, subpart E).
- m) We have disclosed to you our interpretation of compliance requirements that may have varying interpretations.
- n) We have made available to you all documentation related to compliance with the direct and material compliance requirements, including information related to federal program financial reports and claims for advances and reimbursements.
- o) We have disclosed to you the nature of any subsequent events that provide additional evidence about conditions that existed at the end of the reporting period affecting noncompliance during the reporting period.
- p) There are no such known instances of noncompliance with direct and material compliance requirements that occurred subsequent to the period covered by the auditor's report.
- q) No changes have been made in internal control over compliance or other factors that might significantly affect internal control, including any corrective action we have taken regarding significant deficiencies or material weaknesses in internal control over compliance, subsequent to the period covered by the auditor's report.
- r) Federal program financial reports and claims for advances and reimbursements are supported by the books and records from which the financial statements have been prepared.
- s) The copies of federal program financial reports provided you are true copies of the reports submitted, or electronically transmitted, to the respective federal agency or pass-through entity, as applicable.

- t) We have charged costs to federal awards in accordance with applicable cost principles.
 - u) We are responsible for and have accurately prepared the summary schedule of prior audit findings to include all findings required to be included by the Uniform Guidance, and we have provided you with all information on the status of the follow-up on prior audit findings by federal awarding agencies and pass-through entities, including all management decisions.
 - v) We are responsible for and have ensured the reporting package does not contain protected personally identifiable information.
 - w) We are responsible for and have accurately prepared the auditee section of the Data Collection Form as required by the Uniform Guidance.
 - x) We are responsible for taking corrective action on each audit finding of the compliance audit and have developed a corrective action plan that meets the requirements of the Uniform Guidance.
- 46) We have no knowledge of any noncompliance or alleged noncompliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the Minimum Standards for Audits of Oregon Municipal Corporations as they apply to the City, except as noted in the financial statements.
- 47) We have evaluated and classified any subsequent events as recognized or nonrecognized through the date of this letter. No events, including instances of noncompliance, have occurred subsequent to the balance sheet date and through the date of this letter that would require adjustment to or disclosure in the aforementioned financial statements or in the schedule of findings and questioned costs.

 1/2/24

Chris Workman, City Manager

 1/2/24

Michael Murzynsky, Finance Director

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CITY OF PHILOMATH

980 Applegate Street
PO Box 400
Philomath, OR 97370
541-929-6148
541-929-3044 FAX
www.ci.philomath.or.us

M E M O R A N D U M

DATE: September 9, 2024
TO: City Council
FROM: Mike Murzynsky, Finance Director
RE: Compliance memo for Auditor Singel Audit Report, includes Management Letter.

The City financial reports contain a section called Independent Auditor's Report Required by Oregon State Regulations, also know as Oregon Compliance on Minimum Standards for Audits of Oregon Municipal Corporations. Within this report (on pages 84-85) the auditor lists four items in a generic sense, the attached email explains the items, so I have presented it and made it part of the package. I have added the number of the generic item beside or above each explanation and I will describe it more in detail at our September 9th meeting.

Mike Murzynsky

From: Jodi Burch <Jodi.Burch@REDW.COM>
Sent: Thursday, December 21, 2023 4:41 PM
To: Mike Murzynsky
Cc: Claudia Estrada
Subject: RE: *EXTERNAL*- RE: Follow Up
Attachments: 2023-001.docx

Hi Mike,

Ok, I have a few things here. We're getting really close!

Leases: I've reviewed the contracts that you provided and it appears that yes, the taser and body cams would qualify as reportable, I believe they are immaterial to the financial statements so we'll pass on recording them. I wanted to run this by you in case you'd like to report them anyway. And there is a chance this could change since my work hasn't been reviewed yet, but hopefully not.

Likely Findings: We wanted to summarize the findings as we currently show them. We've spoken about most of these except for the last two (in blue font) that were recently identified as part of our wrap up work. If you have any questions on these, please let us know. I'm heading out soon for the day but will be working tomorrow.

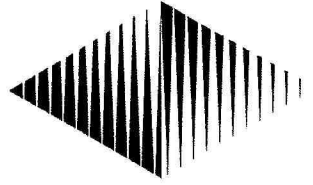
- 1) **Deficiencies:**
 - a. No secondary review of journal entries. This is a deficiency in internal control. → **MGMT LETTER**
 - b. Failure to file quarterly reports with OBDD. This is a finding on the SEFA and I believe you and Claudia had emailed out this. **FEDERAL REPORT - FINANCIALS PGS 76-83**
 - i. Request: Please complete the attached with views of responsible official. Your response is a required part of the audit report.
- 2) **ORS279 Violation:** The lack of quotes/formal bid process on the Westech Engineering contract of \$115k.
- 3) **Budget Violations:**
 - a. **Over-Expenditure of Appropriations:** Expenses exceeded budget in at least one fund (fund 42 – believe related to \$850k budget adjustment)
 - b. **Missing Debt Service Object Appropriation:** ORS 294.388(3) requires that special payments, debt service, transfers be individual appropriated.
 - i. It appears that the debt service payments were not specifically listed on the resolution adopting the budget (instead the amounts were included in the 'operations' line item).
 - c. **Missing Budget Message:** ORS 294.403 requires a written explanation of the budget and the local government's financial priorities. It is part of the complete budget document.
 - i. Did not see the formal budget message section in the adopted budget. If we missed it, please let me know.

Filing: We're hopeful (as I'm sure you are) that we'll complete this report by the end of next week. We're going to do everything we can to make it happen. So if you could get us the response to the item in 1.b above as soon as you can, that would be appreciated.

Note: Our office is closing at 3pm on Friday, December 22nd and reopening at 8am on Wednesday, December 27th.

Jodi Burch CPA
Senior Audit Associate II
+1.971.701.2995

MANAGEMENT
LETTER



GROVE, MUELLER & SWANK

redw
Advisors & CPAs

January 2, 2024

Honorable Mayor and City Council
City of Philomath
P.O. Box 400
Philomath, Oregon 97370

In planning and performing our audit of the basic financial statements of the City of Philomath (the City) as of and for the year ended June 30, 2023, in accordance with auditing standards generally accepted in the United States of America, we considered the City's internal control over financial reporting (internal control) as a basis for designing auditing procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be significant deficiencies or material weaknesses and, therefore, there can be no assurance that all deficiencies, significant deficiencies, or material weaknesses have been identified. We did not identify any deficiencies in internal control that we consider to be material weaknesses. However, as discussed below, we identified certain matters involving the internal control and other operational matters that are presented for your consideration. This letter does not affect our report dated January 2, 2024, on the financial statements of the City. We will review the status of these comments during our next audit engagement. Our comments and recommendations, all of which have been discussed with appropriate members of management, are intended to improve the internal control, or result in other operating efficiencies. We will be pleased to discuss these comments in further detail at your convenience, perform any additional study of these matters, or assist you in implementing the recommendations. Our comments are summarized as follows:

Review Procedures are not Implemented over Journal Entries

Condition:

During walkthrough procedures, the auditor noted that no secondary review was performed over journal entries.

Possible effect:

Lack of review of journal entries may have the effect of possible errors not being timely identified. It could also increase the risk of management override of internal controls.

Recommendation:

We recommend that the City's implement a review procedure over journal entries recorded by someone at the management level that have the proper finance knowledge.

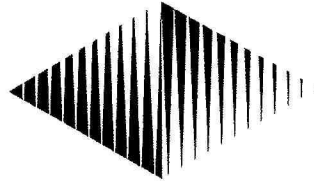
Management's response:

Management agrees with our recommendation and will implement procedures to ensure the proper review and approval of the journal entries.

This communication is intended solely for the information and use of management, the city council, Oregon Secretary of State, and others within the City of Philomath, and is not intended to be, and should not be, used by anyone other than these specified parties.

Very truly yours,

Grove, Mueller & Swank
CERTIFIED PUBLIC ACCOUNTANTS



GROVE, MUELLER & SWANK
redw
Advisors & CPAs

***INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR PROGRAM AND ON
INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE***

Honorable Mayor and Members
of the City Council
City of Philomath
Philomath, Oregon

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited the City of Philomath's (the City) compliance with the types of compliance requirements identified as subject to audit in the OMB *Compliance Supplement* that could have a direct and material effect on each of the City's major federal programs for the year ended June 30, 2023. The City's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, except for the noncompliance described in the Basis for Opinion on Each Major Federal Program section of our report, the City of Philomath, Oregon complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2023.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of the City's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the City's federal programs.

Auditor's Responsibility for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the City's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the City's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the City's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the City's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Other Matters

The results of our auditing procedures disclosed other instances of noncompliance which are required to be reported in accordance with the Uniform Guidance and which are described in the accompanying schedule of findings and questioned costs as item 2023-001. Our opinion on each major federal program is not modified with respect to these matters.

Government Auditing Standards requires the auditor to perform limited procedures on the City's response to the noncompliance findings identified in our compliance audit described in the accompanying schedule of findings and questioned costs. The City's response was not subjected to the other auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

Report on Internal Control over Compliance

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as discussed below, we did identify a certain deficiency in internal control over compliance that we consider to be a significant deficiency.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of

compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance. We consider the deficiency in internal control over compliance described in the accompanying schedule of findings and questioned costs as item 2023-001 to be a significant deficiency.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

Government Auditing Standards requires the auditor to perform limited procedures on the City's response to the internal control over compliance findings identified in our compliance audit described in the accompanying schedule of findings and questioned costs. The City's response was not subjected to the other auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Grove, Mueller & Swank
CERTIFIED PUBLIC ACCOUNTANTS
January 2, 2024

CITY OF PHILOMATH, OREGON
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
YEAR ENDED JUNE 30, 2023

<u>Federal Grantor/Program Title</u>	<u>Assistance Listing Number</u>	<u>Pass-Through Grantor's Number</u>	<u>Expenditures</u>
<u>General Service Administration</u>			
<i>Donation of Federal Surplus Personal Property</i>			
Donation of Federal Surplus Personal Property	39.003	Oregon Department of Administrative Services, ARK47055	\$ 2,801
<u>U.S. Department of Treasury</u>			
<i>Coronavirus State and Local Fiscal Recovery Funds</i>			
Coronavirus State and Local Fiscal Recovery Funds	21.027	Direct	59,352
Coronavirus State and Local Fiscal Recovery Funds	21.027	State of Oregon Business Development Department, SLRFP4454	1,114,180
<i>Total Coronavirus State and Local Fiscal Recovery Funds</i>			<u>1,173,532</u>
Total U.S. Department of Treasury			<u>1,173,532</u>
Total Federal Expenditures			<u>\$ 1,176,333</u>

CITY OF PHILOMATH, OREGON
NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
YEAR ENDED JUNE 30, 2023

BASIS OF PRESENTATION

The accompanying schedule of expenditures of federal awards (SEFA) includes the federal award activity of the City of Philomath, Oregon (the City) under programs of the federal government for the year ended June 30, 2023. The information in the SEFA is presented in accordance with the requirements of Title 2 U.S. *Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance)*. Because the SEFA presents only a selected portion of the operations of the City, it is not intended to and does not present the net position, changes in net position, or cash flows of the City.

SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Expenditures reported on the SEFA are reported on the accrual basis of accounting. Such expenditures are recognized following the cost principles contained in the Uniform Guidance wherein certain types of expenditures are not allowable or are limited as to reimbursement.

The City has not elected to use the 10 percent de minimus indirect cost rate as allowed under Uniform Guidance.

CITY OF PHILOMATH, OREGON
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
YEAR ENDED JUNE 30, 2023

SUMMARY OF AUDIT RESULTS

Financial Statements

Type of auditor's opinion issued:	Unmodified
Internal control reporting:	
• Material weakness(es) identified?	No
• Significant deficiency(s) identified?	None Reported
Noncompliance material to financial statements noted?	No

Federal Awards

Internal control over major programs:	
• Material weakness(es) identified?	No
• Significant deficiency(s) identified?	Yes
Type of auditor's report issued on compliance for major programs:	Unmodified
Any audit findings disclosed that are required to be reported in accordance with 2 CFR section 200.516(a)?	Yes

Identification of major program:

<u>Assistance Listing Numbers</u>	<u>Name of Federal Program or Cluster</u>
21.027	Coronavirus State and Local Fiscal Recovery Funds

Dollar threshold used to distinguish between type A and type B programs:	\$750,000
Auditee qualified as low-risk auditee?	No

FINANCIAL STATEMENT FINDINGS

None

FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

2023-001 – Reporting – Significant Deficiency in Internal Controls over Compliance and Noncompliance

Federal program information:

Funding agency:	Department of Treasury
Title:	Coronavirus State and Local Fiscal Recovery Funds
Assistance listing number:	21.027
Award years and number:	7/1/2022 – 6/30/2023

Criteria: Quarterly reports shall be submitted by the City to OBDD which must include such information as is necessary for OBDD to comply with the reporting requirements established by the 42 U.S.C. 802, guidance issued by the U.S. Treasury, and 2 CFR Part 200 (known as the “Super Circular”). The reports must be submitted using a template provided by OBDD which has two classifications. Expenditure Reporting Template and Project Status Update. Quarterly reports are due on April 10th, July 10th, October 10th, and January 10th.

CITY OF PHILOMATH, OREGON
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (Continued)
YEAR ENDED JUNE 30, 2023

The City Recipient shall also submit to OBDD an annual report. The annual reports must be submitted using a template provided by OBDD that includes but is not limited to Promoting Equitable Outcomes and Engaging with the Community.

Condition: The City did not submit the report for the quarters ended December 31, 2022, March 31, 2023 and June 30, 2023 based on the requirements stated in the grant agreement.

Questioned Costs: N/A

Cause: Sufficient procedures are not in place to ensure timely preparation, review, and submission of all required grant agreements.

Effect: The City did not comply with special reporting due date requirement under Coronavirus Relief Fund program.

Auditor's Recommendations: We recommend the City implement policies and procedures to ensure timely preparation, review, and submission of all required grant reports.

Management's Response: The City didn't have the proper understanding of the reporting requirements stated in the contract with the OBDD. On December 26, 2023, during the audit process, the City contacted the OBDD for having a better understanding on the templates, deadlines, and type of reports the City shall submit to comply with the grant agreement requirements.

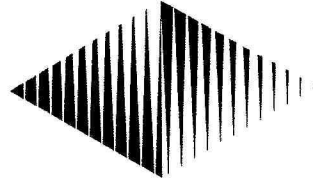
CITY OF PHILOMATH, OREGON
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
YEAR ENDED JUNE 30, 2023

FINANCIAL STATEMENT FINDINGS

None

FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

None



GROVE, MUELLER & SWANK

redw
Advisors & CPAs

INDEPENDENT AUDITOR'S REPORT REQUIRED BY OREGON STATE REGULATIONS

Honorable Mayor and Members
of the City Council
Philomath, Oregon

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the basic financial statements of the City of Philomath, Oregon as of and for the year ended June 30, 2023, and have issued our report thereon dated January 2, 2024.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Philomath, Oregon's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the Minimum Standards for Audits of Oregon Municipal Corporations, noncompliance with which could have a direct and material effect on the determination of financial statements amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion.

We performed procedures to the extent we considered necessary to address the required comments and disclosures which included, but were not limited to the following:

- **Deposit of public funds with financial institutions (ORS Chapter 295).**
- **Indebtedness limitations, restrictions and repayment.**
- **Budgets legally required (ORS Chapter 294).**
- **Insurance and fidelity bonds in force or required by law.**
- **Programs funded from outside sources.**
- **Highway revenues used for public highways, roads, and streets.**
- **Authorized investment of surplus funds (ORS Chapter 294).**
- **Public contracts and purchasing (ORS Chapters 279A, 279B, 279C).**
- **Accountability for collecting or receiving money by elected officials – no money was collected or received by elected officials.**

In connection with our testing nothing came to our attention that caused us to believe the City was not in substantial compliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the Minimum Standards for Audits of Oregon Municipal Corporations, except for the following:

- 1) Expenditures in excess of appropriations as indicated in the notes to the financial statements.
- 2) The Urban Renewal and Sewer funds budgeted debt service as part of operations.
- 3) The fiscal year 2023-24 published budget did not include the required budget message.
- 4) Violation of ORS279 due to lack of competitive bid process on a professional services contract.

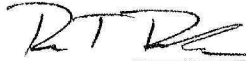
Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

Restriction on Use

This report is intended solely for the information and use of the council members and management of the City of Philomath and the Oregon Secretary of State and is not intended to be and should not be used by anyone other than these parties.

GROVE, MUELLER & SWANK
CERTIFIED PUBLIC ACCOUNTANTS

By: 
Ryan T. Pasquarella, Principal
January 2, 2024



January 24, 2024

2022-23 Corrective Action Plan

Finding 2023-001 – Reporting – Significant Deficiency in Internal Controls over Compliance and Noncompliance

Funding agency: Department of Treasury
Title: Coronavirus State and Local Fiscal Recovery Funds
Assistance listing number: 21.027
Award years and number: 7/1/2022 – 6/30/2023

Criteria: Quarterly reports shall be submitted by the City to OBDD which must include such information as is necessary for OBDD to comply with the reporting requirements established by the 42 U.S.C. 802, guidance issued by the U.S. Treasury, and 2 CFR Part 200 (known as the “Super Circular”). The reports must be submitted using a template provided by OBDD which has two classifications. Expenditure Reporting Template and Project Status Update. Quarterly reports are due on April 10th, July 10th, October 10th, and January 10th.

The City Recipient shall also submit to OBDD an annual report. The annual reports must be submitted using a template provided by OBDD that includes but is not limited to Promoting Equitable Outcomes and Engaging with the Community.

Effect and Auditor’s Recommendation: The City did not comply with special reporting due date requirement under Coronavirus Relief Fund program. The auditor recommends the City implement policies and procedures to ensure timely preparation, review, and submission of all required grant reports.

Management’s Response and Corrective Action Plan:

The City didn’t have the proper understanding of the reporting requirements stated in the contract with the OBDD. On December 26, 2023, during the audit process, the City contacted the OBDD to have a better understanding of the templates, deadlines, and type of reports the City shall submit to comply with the grant agreement requirements.

2022-23 Corrective Action Plan (continued)

Corrective Action Plan: Beginning with the January 10, 2024, reporting date the City is following the reporting requirement for OBDD and will continue to work with them on the other compliance issues listed above. The city has implemented procedures to guarantee filing of the require reports.

Contact:

If you have any questions about this plan, please contact:

Michael A. Murzynsky
Finance Director
City of Philomath
PO Box 400
Philomath, OR 97370

Mike.murzynsky@philomathoregon.gov
Direct Line 541-929-9709



Philomath City Council Agenda Item Summary

Title/Topic: City Recorder Recruitment Procedure

Meeting Date: September 9, 2024
Staff Contact: Chelsea Starnier

ISSUE STATEMENT

Shall the City Council approve the process for hiring and appointing a new City Recorder?

BACKGROUND

City Recorder Ruth Post is retiring from the City of Philomath after 25 years of service to the community. The City Charter notes the City Recorder position is that of an “appointed officer” and is subject to the following from Chapter 5.3 (6) of the Philomath Municipal Code:

“The manager may only appoint or dismiss a department head with the approval of a majority of the incumbent members of the council. The council shall not appoint or dismiss a department head without the manager’s recommendation, unless the position of city manager is vacant.”

Chris Workman, Chelsea Starnier and Ruth Post met to gather information on the history of hiring City Recorders in Philomath and are presenting a suggested recruitment process as follows:

- August 12: Position was posted through various channels.
- September 9: Position application period closes.
- September 10-20: Staff will select the most qualified applicants and complete a first round of interviews (6-10 interviews).
- September 30-October 4: The top 2-3 candidates will be interviewed by the Finance & Administration Committee along with the City Manager and Assistant City Manager.
- October 5: A conditional offer will be extended to the top candidate and background checks will commence.
- October 14: City Council will approve the City Manager and Finance & Administration Committee’s selected candidate, provided all conditions of the offer have been met by the candidate.
- October 29: Anticipated starting date for new City Recorder.

COUNCIL OPTIONS

Approve the recruitment process and schedule, do not approve, or make suggested changes and approve.

STAFF RECOMMENDATION

Approve the recruitment process as presented.

RECOMMENDED MOTION

"I Move to approve the recruitment process as presented."

ATTACHMENTS

None



Philomath City Council Agenda Item Summary

Title/Topic: Psilocybin Regulation Options

Meeting Date: September 9, 2024
Staff Contact: Chris Workman

ISSUE STATEMENT

Shall the Philomath City Council direct staff to prepare an ordinance to ban psilocybin service centers and manufacturing facilities, or an ordinance to place specific restrictions related to the location of these facilities within city limits?

BACKGROUND

Please reference the attached memo from City Attorney Ashleigh Dougill for background information on options available to the City Council.

Staff reviewed recent reporting on the Oregon City County Managers Association listserve and found that about half the responding cities stated they had approved an ordinance to ban facilities (on the ballot in 2022 or 2024), one-quarter reported they had adopted time, place, and manner (TPM) restrictions, and one-quarter reported they had taken no action.

Of those that adopted TPM restrictions, the restrictions comprised of:

- Prohibited location within 500 ft. - 2,000 ft. from school and childcare centers
- Prohibited from home occupations
- Allowed within commercially zoned districts

Some additional background information that may be helpful for this discussion (taken from a Lake Oswego ordinance establishing TPM restrictions):

- The manufacture of psilocybin and the administration of psilocybin to the public through service centers is a new use in Oregon, having been authorized by initiative measure in 2020; and
- To date, the only other state that has authorized the administration of psilocybin to the public is Colorado; however, Colorado has not yet issued any licenses for the manufacture of psilocybin or for administration of psilocybin in mental healthcare and therapeutic settings; and
- The Oregon Health Authority issued a license for the first service center on May 5, 2023; and
- The impacts of psilocybin manufacturers and service centers cannot yet be fully quantified or analyzed, as to whether more -- or less -- time, place and manner restrictions would be appropriate for their compatibility to surrounding businesses and nearby residences; and
- Some cities and counties in Oregon are not imposing any time, place and manner restrictions above those promulgated by the Oregon Health Authority, while other cities and counties are imposing some additional restrictions, but to-date only a few licenses have been issued at this time; and

COUNCIL OPTIONS

Staff is looking to the City Council to provide policy decision on how to proceed. The Council should deliberate on this question and direct staff to either prepare a TPM ordinance, a prohibition ordinance, or both, for consideration at a future meeting

CITY MANAGER RECOMMENDATION

I believe it is best to consider an ordinance for an outright ban, to be voted on by the electorate in November 2026, and time, place, and manner restrictions to take affect if that ballot measure is not approved in that time.

RECOMMENDED MOTION

"I move to direct staff to prepare and ordinance that enacts reasonable time, place, and manner regulations and adopts a ban on psilocybin manufacturing and centers to be voted on at the next available general election (2026)."

ATTACHMENTS

- A. Memo from Legal Counsel
- B. LOC Model Ordinances

MEMORANDUM

TO: Philomath City Council

FROM: Ashleigh Dougill ^{AKD}

SUBJECT: Psilocybin Regulations

DATE: August 28, 2024

This memorandum discusses the City of Philomath's ("City") options in regulating psilocybin product manufacturers and service centers within City limits.

Background.

Oregon legalized psilocybin products and services in 2020 via Ballot Measure 109 (later codified in ORS 475A). Among other things, this new statutory chapter permits cities and counties to adopt ordinances prohibiting psilocybin licensed facilities within their jurisdictional boundaries.¹ In response to this legislation, the City enacted a temporary, two year moratorium on psilocybin licensed facilities within City limits.² This moratorium has a sunset date of December 31, 2024. Accordingly, the City must now assess its preferred path forward following this moratorium's sunset date.

Regulatory Options.

As an initial matter, the following two regulatory options are inadvisable or else not currently practical for the City. First, the City could choose to take no action regarding these regulations and simply permit Ordinance No. 873 to elapse. However, this inaction would permit all psilocybin product manufacturers and service centers anywhere within City limits, subject only to the minimum statutory requirements set forth in ORS 475A. Given the City's lack of control over this statutory process and the minimal time, place, and manner regulations within ORS 475A, taking no action here would be legally inadvisable if the City's goal is to regulate or restrict psilocybin within City limits. Second, the deadline to submit a psilocybin ban to the voters in 2024 has unfortunately passed. Therefore, it is impractical to seek a 2024 vote ratifying a psilocybin ban within City limits.

Despite this, the City does have a few available paths forward for psilocybin regulation. The City could (1) enact reasonable time, place, and manner psilocybin regulations, (2) adopt a psilocybin

¹ ORS 475A.718(1).

² Ordinance No. 873.

ban via ordinance and submit the ban for approval at the next general election, or (3) enact a combination of (1) and (2) above.

Per state law, a city or county governing body may impose reasonable time, place, and manner regulations on psilocybin licensed facilities.³ Psilocybin licensed facilities include manufacturing facilities (or the location at which psilocybin products may be planted, cultivated, harvested, prepared, processed, and packaged)⁴ and service centers (or an establishment where administration sessions are held and other psilocybin services may be provided).⁵ While state law imposes certain minimal facility restrictions,⁶ cities may choose to enact additional regulations. These regulations must be reasonable in nature and may regulate matters such as the time of facilities' operation, where the facilities may be located within the city, and the manner in which licensed facilities provide services or manufacture psilocybin, as well as how the public accesses such facilities. These regulations are not required to receive voter approval, but would likely necessitate amendments to the City's development code. Given the additional procedural requirements of a development code amendment, the City would need to begin this process as soon as possible in order to enact amendments by the moratorium sunset date.

Although the deadline to submit a psilocybin ban to the voters in 2024 has passed, the City may still have a path to a City-wide psilocybin ban. State law permits the City to adopt a psilocybin ban via ordinance, provided that the City submits "the measure of the ordinance to the electors of the city or county for approval at the next statewide general election."⁷ Therefore, should the City Council enact another temporary or permanent psilocybin ban via ordinance after the November 2024 election in either November or December of 2024, the City could also submit the ban to the general electorate for the November 2026 election (i.e., the next general election following the adoption of the ordinance) for ratification. The City could choose to make this ban temporary or permanent, although a permanent ban could help lessen the administrative burden on staff of periodically revisiting this issue.

Although this approach would follow the clear language of the statute, it does carry some risk since it is likely not the legislature's original statutory intent. Therefore, there is a very slight risk that the Oregon Health Authority ("OHA") would not continue to prohibit psilocybin permitting within City limits. In addition, there is a risk that the electorate would vote no on this psilocybin ban, therefore nullifying the ban from that time forward. To mitigate these risks, the City could

³ ORS 475A.530.

⁴ ORS 475A.220(7).

⁵ ORS 475A.220(13).

⁶ Psilocybin facility restrictions include, but are not limited to: (A) manufacturers must grow psilocybin within a licensed premises (OAR 333-333-2020(1)(b)); (B) may only cultivate certain species using specific products (OAR 333-333-2010); (C) may not use pesticides (OAR 333-333-2040); (D) must follow labeling and packaging requirements (OAR 333-333-2400); and (E) must follow certain location requirements (including no location within 1,000 feet of a school) (OAR 333-333-4300).

⁷ ORS 475A.718(2).

concurrently adopt reasonable time, place, and manner psilocybin facility regulations that would only become effective if the City ban was not supported by the OHA or ratified by the electorate.

Conclusion.

The City has a few options to respond to the sunset of Ordinance No. 873, namely: (1) enact reasonable time, place, and manner regulations, (2) adopt a psilocybin ban via ordinance and submitting the ban for approval at the next general election, or (3) enact a combination of (1) and (2) above. If City Council's intent is to prohibit psilocybin facilities within City limits, I recommend pursuing option (3) to best mitigate risk and uncertainties for the City.

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MODEL



Model Psilocybin Ordinance & Ballot Measure

JUNE 2022

Last reviewed by LOC Attorneys February 2024

Cities and counties that desire to prohibit the establishment of psilocybin-related businesses may do so by referral at a statewide general election, meaning an election in November of an even-numbered year. Cities and counties should consult the secretary of state's referral manual and work with the city recorder, elections official, or similar official to determine the procedures necessary to refer an ordinance to the voters.

Once the governing body of a city or county adopts an ordinance, its city or county must submit the ordinance to the Oregon Health Authority (OHA). The OHA will then stop registering and licensing the prohibited businesses until the next statewide general election, when the voters will decide whether to approve or reject the ordinance. In other words, the governing body's adoption of an ordinance acts as a moratorium on new psilocybin-related businesses until the election.

In addition, it is important to note that once election officials file the referral with the county election office, the ballot measure is certified to the ballot. At that point, the restrictions on public employees engaging in political activity will apply. Consequently, cities should consult the secretary of state's manual *Restrictions on Political Campaigning by Public Employees* and their city attorney to ensure that public employees are complying with state elections law in their communications about the pending measure. The model ordinances and ballot measures below contain two versions. The first is a permanent ban of psilocybin-related businesses until the ordinance is repealed and the second acts as a two-year moratorium.

Since the passage of Ballot Measure 109 and thus the enactment of ORS Chapter 4756A, the Oregon Psilocybin Services Act, the OHA has created Oregon Psilocybin Services¹ and has gone through the required rulemaking process elaborating on many of the functional specifics outlined in statute.²

This document is not a substitute for legal advice. City and county councils considering prohibiting psilocybin-related activities should not rely solely on this sample. Any city or county council considering any form of regulation of psilocybin should consult with its city or county attorney regarding the advantages, disadvantages, risks and limitations of any given approach.

Legal counsel can also assist a city or county in preparing an ordinance that is consistent with local procedures, existing ordinances and charter, and advise on what process is needed to adopt the ordinance. The sample provided is intended to be a starting point, not an end point, for any jurisdiction considering prohibiting psilocybin-related activities.

¹ Accessible at <https://www.oregon.gov/oha/ph/preventionwellness/pages/oregon-psilocybin-services.aspx> (last accessed February 2024).

² See Oregon Administrative Rules (OAR) Chapter 333, Division 333.

.....

PERMANENT BAN

.....

ORDINANCE NO. _____

AN ORDINANCE DECLARING A BAN ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS

WHEREAS, in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act (codified at ORS 475A), which allows for the manufacture, delivery and administration of psilocybin at licensed facilities; and

WHEREAS, ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state; and

WHEREAS, the Oregon Health Authority has initiated a rulemaking process to implement the state’s psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023; and

WHEREAS, as of June {date}, 2022, the Oregon Health Authority has not completed the rulemaking process for implementing the state’s psilocybin regulatory program, and the City of {city} is uncertain how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the city; and

WHEREAS, ORS 475A.718 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of state licensed psilocybin product manufacturers and/or psilocybin service centers in the area subject to the jurisdiction of the city; and

WHEREAS, the {city} City Council believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the city’s jurisdictional boundaries to enable the adoption of the state’s psilocybin licensing and regulatory program and to allow the city to adopt reasonable time, place, and manner regulations on the operation of psilocybin facilities is in the best interest of the health, safety and welfare of the people of {city}; and

WHEREAS, the City Council seeks to refer to the voters of {city} the question of whether to establish a ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the city’s jurisdictional boundaries.

Now, therefore,

THE CITY OF {CITY} ORDAINS AS FOLLOWS:

Section 1. Prohibition.

The establishment of psilocybin product manufacturers licensed under ORS 275A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the City of {city}.

Section 2. Referral.

This ordinance is referred to the electors of the city of {city} for approval at the next statewide general election on November 8, 2022.

Section 3. Effective Date.

This ordinance takes effect and becomes operative 30 days after the day on which it is approved by a majority of voters.

First reading this ____ day of _____, 2022.

Second reading and passage by this Council this ____ day of _____, 2022.

Signed by the Mayor this ____ day of _____, 2022.

ATTEST:

SIGNED:

{NAME}, City Recorder

{NAME}, Mayor

BALLOT TITLE

A caption which reasonably identifies the subject of the measure.
10-word limit under ORS 250.035(1)(a)

Prohibits psilocybin-related businesses within {city}. [Prohibition sunsets after two years.]

QUESTION

A question which plainly phrases the chief purpose of the measure so that an affirmative response to the question corresponds to an affirmative vote on the measure.
20-word limit under ORS 250.035(1)(b)

Shall {city or county} prohibit {psilocybin-related businesses} in {city or county}?

SUMMARY

A concise and impartial statement summarizing the measure and its major effect.
175-word limit under ORS 250.035(1)(c)

State law allows operation manufacturer, distribution and possession of psilocybin and psilocin. State law provides that a {city or county} council may adopt an ordinance to be referred to the voters to prohibit the establishment of any of those registered or licensed activities.

Approval of this measure would prohibit the establishment of {psilocybin project manufacturers} and/or {psilocybin service center operators} within the area {subject to the jurisdiction of the city} or {in the unincorporated area subject to the jurisdiction of the county.}

EXPLANATORY STATEMENT

An impartial, simple and understandable statement explaining the measure and its effect for use in the county voters' pamphlet.

500-word limit under ORS 251.345 and OAR 165-022-0040(3)

Approval of this measure would prohibit the establishment {and operation} of psilocybin-related businesses within the {city or county}.

A {city or county} council may adopt an ordinance prohibiting the establishment of psilocybin related businesses within the {city or county}, but the council must refer the ordinance to the voters at a statewide general election. The {CITY or COUNTY} OF {NAME} {city or county} council has adopted an ordinance prohibiting the establishment of psilocybin-related businesses within the {city or county} and, as a result, has referred this measure to the voters.

If approved, this measure would prohibit psilocybin-related businesses within the {city or county}.

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Philomath City Council Agenda Item Summary

Title/Topic: Management Report – September 2024

Meeting Date: September 9, 2024
Staff Contact: Chris Workman

ISSUE STATEMENT

The following management updates are intended to keep the Council apprised of work taking place within each of the various City departments. If there are specific questions about the topics listed or any other item of interest, please contact me directly prior to the meeting and I will come prepared to answer your questions or concerns as best as possible.

ADMINISTRATION

- Election Update: The final candidates qualified for the ballot for the position of Mayor are Chas Jones and Christopher McMorrان. Three candidates have qualified for the position of City Councilor: Diane Crocker, Spencer Irwin and Brent Kaseman. There are three open City Councilor positions.
- Selected G. Christianson Construction to complete construction drawings and a cost estimate for the City Hall remodel. RFP for construction will likely not be able to go out until November.
- Façade Improvement Grant applicants have been contacted. Applications are under review by the selection committee for review and approval.
- Enrollment was approved by Energy Trust of Oregon for participation in a Solar Development Assistance Program. This will provide roughly \$7500 for a technical analysis of the city's facilities' ability to add solar power.
- Due to lack of interested parties the 2024 Citizens' Academy has been cancelled.
- The City received 17 proposals for the Website Redesign & Hosting project.

Planning

- Issued approval of a partition to combine two lots into one lot for the construction of Benton County Schools Credit Union (7th and Applegate).
- Held the first public input session for proposed changes to zoning code at the Philomath Farmers Market on September 1.

Human Resources

- The City Recorder job posting closes September 9th. See agenda item for more information.
- The Building and Grounds Worker position is in the interview phase.
- Due to a retirement in water/wastewater treatment and some employee promotions, we are currently working to fill the Utility Maintenance Worker position.

POLICE

- A new Police Recruit started on September 4. In process of background for a new Lateral.
- The Annual Safety Town event was held at Philomath Primary in August.
- School zone patrols have started to help keep students safe and increase driver awareness.
- Special thank you to Eric Baxter and Marsha Gilson for filling in at the Police Department office over the summer. We couldn't have done it without them!

PUBLIC WORKS

- The S 16th Street Extension Project is near completion and should be finished by this meeting. Final walk through for punch list creation is scheduled for Friday August 30th.
- The electronic meter reading system hardware is in, waiting for software installation and system training.
- Concrete pad for the Starlight generator is poured. Still waiting for delivery of generator and working to secure an electrician for the electrical connection portion.
- Concrete pads for four bus shelters have been poured. One has been installed, and at least two to three more shelters should be installed by this meeting.
- Replacing 76 feet of vandalized fencing at Triangle Park. 10-foot-tall fence will be replacing the current 6 foot that was vandalized along the basketball court as per requested by the Park Advisory Board, to prevent the ball from bouncing over the fence. Scheduled for October installation.
- S. 19th sewer and water improvement engineering is underway.
- Repairs have been completed on the reservoir floor. The 1800 "pins" in the floor have been epoxied in. The core drilled holes for testing have been filled and Pivot, the concrete structural engineer the City hired to engineer the repairs, made their final site visit on Wednesday August 28th for the final inspections. Pivot's services will be closing out in the next couple of weeks.

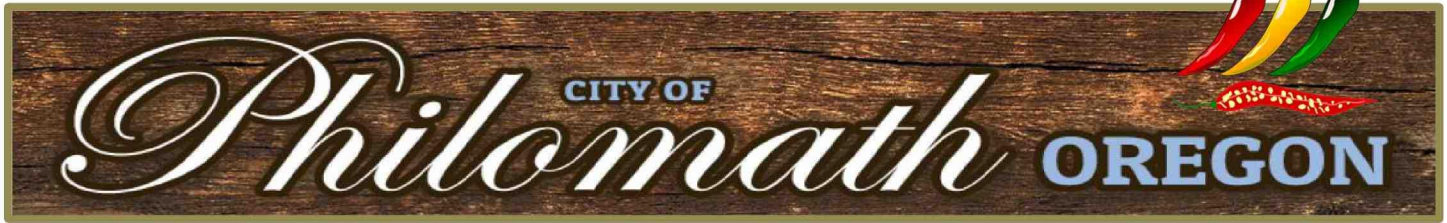
One of the eight wall panels was poured on Wednesday the 28th. 7 panels and the roof left to go. Walls will be poured roughly a week apart along with the support columns as well.

- Completed crosswalk striping at 15th and Applegate Streets.
- Starting on other CIP projects in the Strategic Plan such as pedestrian lighting in City Park and enhancing visibility of the rapid flashing beacon at the east end of town.
- Lead Water/Wastewater Operator Dennis Lewis retired on August 29th. James Winge has been promoted to the Lead Water/Wastewater Operator and Utility Maintenance Worker Russ Howard has accepted the position of Water/Wastewater Operator.

FINANCE

- Finance has been working with Ferguson Waterworks Meter and Sensus Automation Group on receiving the meter reads electronically in the Finance office. Training for receiving electronic meter reads hopefully begins sometime in September so we can go live with the September utility billings.
- Beginning the process of closing out the 2023-24 Fiscal Year, schedule to be completed by September 6th.
- Finance staff is busy collecting the 2023-24 financial data based on requests from the City auditor. Data should be uploaded to the auditor by the end of September.
- Finance has begun gathering RFP data for the Utility Rate Study. The scope of work will be ready for presentation in October 2024.

Official Newsletter of the City of Philomath



Citizens' Academy Returns

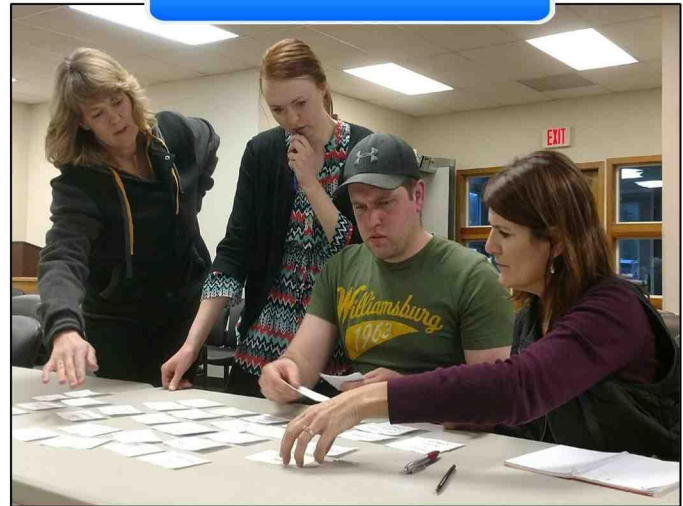
Registration is now open for the 2024 Philomath Citizens Academy. This free program is designed to give participants an opportunity to learn more about the City and other organizations that make Philomath the amazing community that it is. Eight weekly sessions cover topics related to City departments, fire services, schools, community services and more. Sessions will be held from 6:00 to 8:00 p.m. every Thursday from September 5 - October 24, 2024.

Sessions include the following topics:

- Introduction to Local Government
- City Infrastructure (water, sewer, streets)
- Police & Municipal Court
- Community Service Organizations
- City Budget & Finances
- Community Development & Urban Renewal
- Fire & EMS Services
- Corvallis-Benton County Philomath Library & Philomath School District

Registrants must be 16 years of age or older to be considered for the Philomath Citizens' Academy. **Registration deadline is September 3, 2024.** Online registration or a PDF form are available at: www.ci.philomath.or.us/citizensacademy or request a paper form from City Recorder Ruth Post at (541) 929-6148, cityhall@philomathoregon.gov, or visit Philomath City Hall, 980 Applegate St./PO Box 400, Philomath, OR 97370.

REGISTER NOW



PUBLIC SAFETY

CHILI COOK OFF

2024

2:00 - 6:00 p.m. on Sunday, September 8th, Philomath Frolic Rodeo Grounds.

All charity benefits go to the 4-Spirits Veterans Scholarship Fund and the Philomath Police and Sheriff's Charity Foundations

This event is sponsored by:
Philomath Police Foundation and Sheriff's Foundation

Utility Rates Adjusted



The City Council has adopted new utility fees, effective July 1, 2024, to ensure that our services remain sustainable and can meet the demands of operating and capital expenses. Rates are reviewed annually to reflect these needs.

Water and sewer base rates for standard residential users increased 15%. Additionally, water per unit rates rose 2.5%. These adjustments help us keep pace with inflation and rising operational costs. Storm drain and street utility fees for single-family residences have been adjusted by 2.5% to match inflation rates.

Please note that bills issued on August 1st reflect these updated rates. If you have any questions or need more information, feel free to reach out to our utility billing department.



Employee Spotlight

We are pleased to welcome Michael Bidwell to the Associate Planner position! Michael has jumped right in learning the City's planning processes and Development Code. Michael's background includes municipal planning and permitting positions as well as higher

education. Customer service is a top priority for the City and Michael has already proven to be dedicated to the Philomath community. We look forward to working with him for many years to come. Welcome to Team Philomath, Michael!

Philomath Farmers' Market

Sundays 11 to 3

Philomath Community Library

May 26th to October 20th

Mayor and City Council Elections Ballot Set

Philomath residents will see a slightly different look to their election ballots for the November 3 election.

In 2020, the City Charter was updated to change Council terms to 4-year terms. The 2022 election staggered the terms for the six members of the City Council, electing three to 2-year terms and three to 4-year terms. Ballots for the 2024 election will now fill three positions for 4-years and the Mayor for a 4-year term. This staggering of terms will provide continuity on the Council with the overlap of seasoned members and addition of new ones.

With the filing deadline now past, the following individuals' names will be on the November 3 ballot:

Mayor (vote for one):

Chas Jones
Christopher McMorran

City Councilor (vote for three):

Diane Crocker
Spencer Irwin
Brent Kaseman

Watch for your Benton County Voters' Pamphlet and possible forums to learn more about the candidates.



MEETINGS

- Sept. 2** City offices closed for Labor Day Holiday
- Sept. 3** Park Advisory Board 5:30 PM
- Sept. 8** Public Safety Chili Cook Off 2:00-6:00 PM
- Sept. 9** City Council work session 6:00 PM
- Sept. 9** City Council & Urban Renewal Agency 7:00 PM
- Sept. 10** Police Committee 4:00 PM
- Sept. 16** Planning Commission 6:00 PM
- Sept. 18** Finance & Administration Committee 3:00 PM
- Sept. 24** Inclusivity Committee 5:30 PM
- Sept. 30** Planning Commission 6:00 PM

Additional City committee and board meetings may be added to the calendar later in the month.

For the most up to date schedule, agendas and participation details, go to:
[City Meetings & Events Calendar](#)

Watch meetings via live-stream on



SUBSCRIBE TO RECEIVE CITY EMAIL:

SUBSCRIBE

KNOW WHAT'S GOING ON IN YOUR COMMUNITY!



City Offices Closed Monday, Sept. 2: No Bus Service

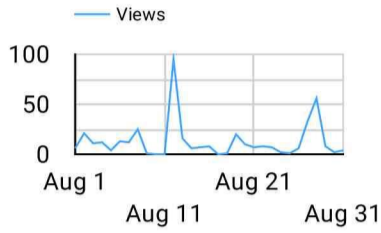
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Aug 1, 2024 - Aug 31, 2024

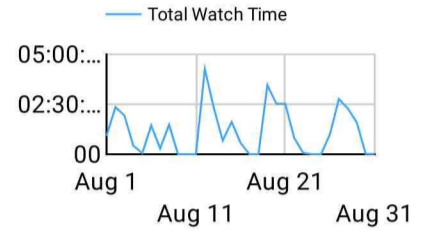
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Trending

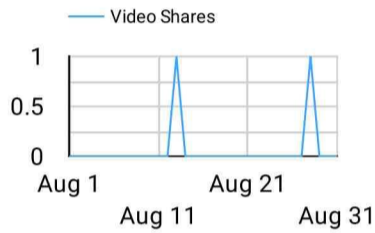
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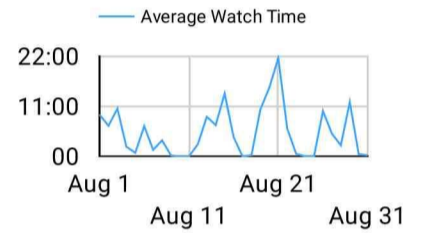
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Video Shares
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Avg. View Duration
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Top Videos Watched

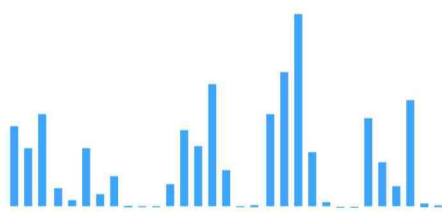
Video Title	Views	Average Watch Time
City Council meeting 8/12/2024	94	00:05:07
City Council Work Session 8/12/2024	38	00:06:32
Inclusivity Committee 8/27/2024	28	00:07:53
Philomath Planning Commission 8/19/2024	23	00:19:15
Philomath City Council meeting 7/22/2024	22	00:07:10
Park Advisory Board Meeting 8/6/2024	21	00:05:29
Chief Ken Rueben Retirement Songs	17	00:01:12
Housing and Economic Development Committee 8/27/2024	17	00:03:27
Inclusivity Committee 7/23/2024	9	00:01:34
City Council meeting 1/8/2024	6	00:00:06

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Likes, Comments, and Subscriptions

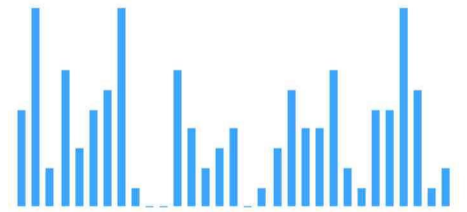
Likes

05:17



Subscriptions

89



Dislikes

6%



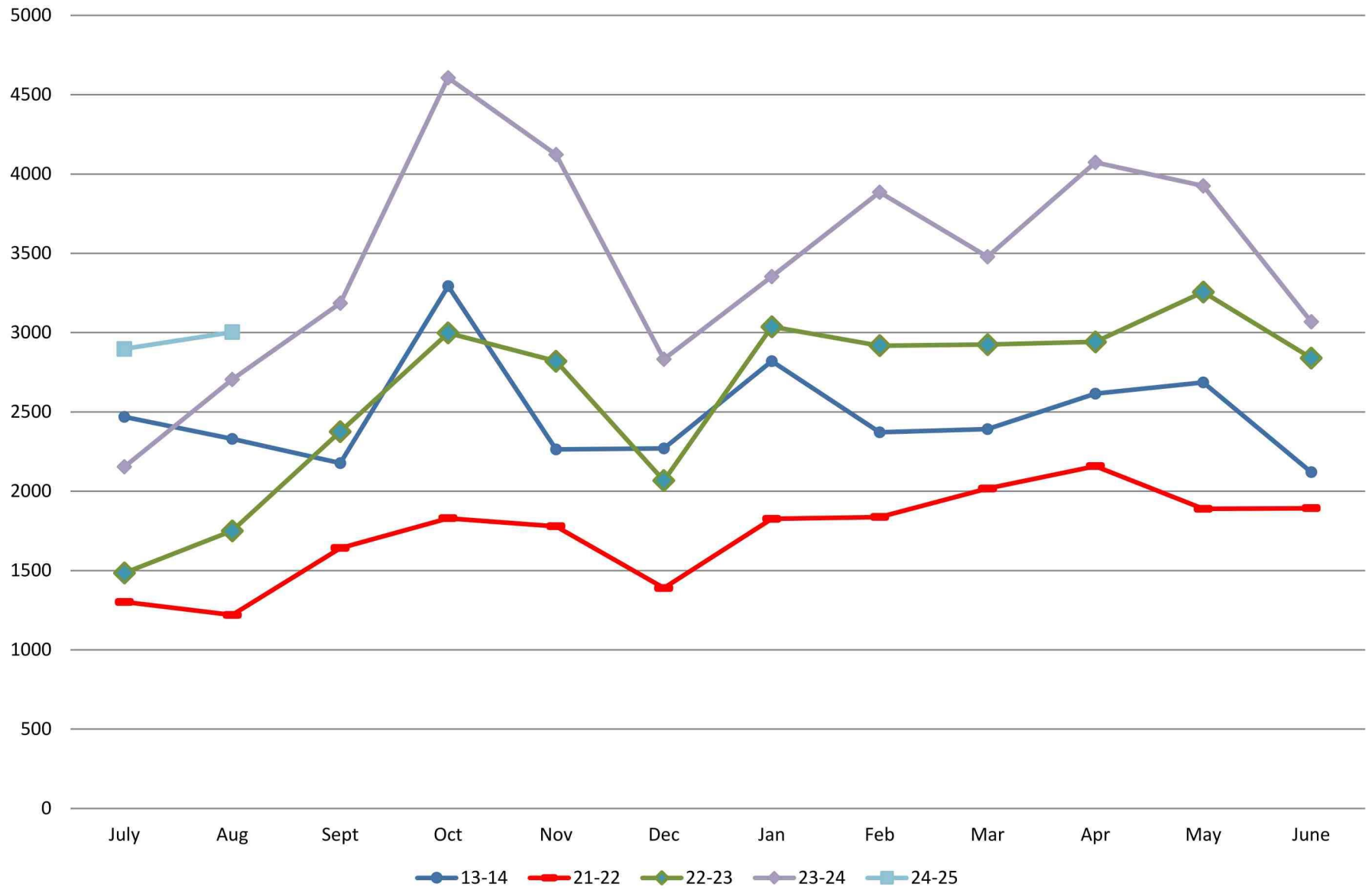
Comments

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Philomath Connection Bus Ridership Monthly Totals



PHILOMATH CONNECTION RIDERSHIP SUMMARY

2024-2025 SUMMARY	TOTAL RIDES -	5,901	DAYS OF SERVICE-	53	AVG RIDE/DAY-	111
2023-2024 SUMMARY	TOTAL RIDES -	41,393	DAYS OF SERVICE-	255	AVG RIDE/DAY-	162
2022-2023 SUMMARY	TOTAL RIDES -	31,414	DAYS OF SERVICE-	275	AVG RIDE/DAY-	114
2021-2022 SUMMARY	TOTAL RIDES -	20,783	DAYS OF SERVICE-	307	AVG RIDE/DAY-	68
2020-2021 SUMMARY	TOTAL RIDES -	12,025	DAYS OF SERVICE-	333	AVG RIDE/DAY-	36
2019-2020 SUMMARY	TOTAL RIDES -	16,277	DAYS OF SERVICE-	308	AVG RIDE/DAY-	53

MONTH	DAYS OF SVC	TOTAL FOR MONTH	AVERAGE RIDES PER DAY
--------------	--------------------	------------------------	------------------------------

2024-2025

JULY	26	2,898	111
AUGUST	27	3,003	111
SEPTEMBER	24	0	0
OCTOBER	27	0	0
NOVEMBER	26	0	0
DECEMBER	25	0	0
JANUARY	26	0	0
FEBRUARY	24	0	0
MARCH	25	0	0
APRIL	26	0	0
MAY	26	0	0
JUNE	25	0	0

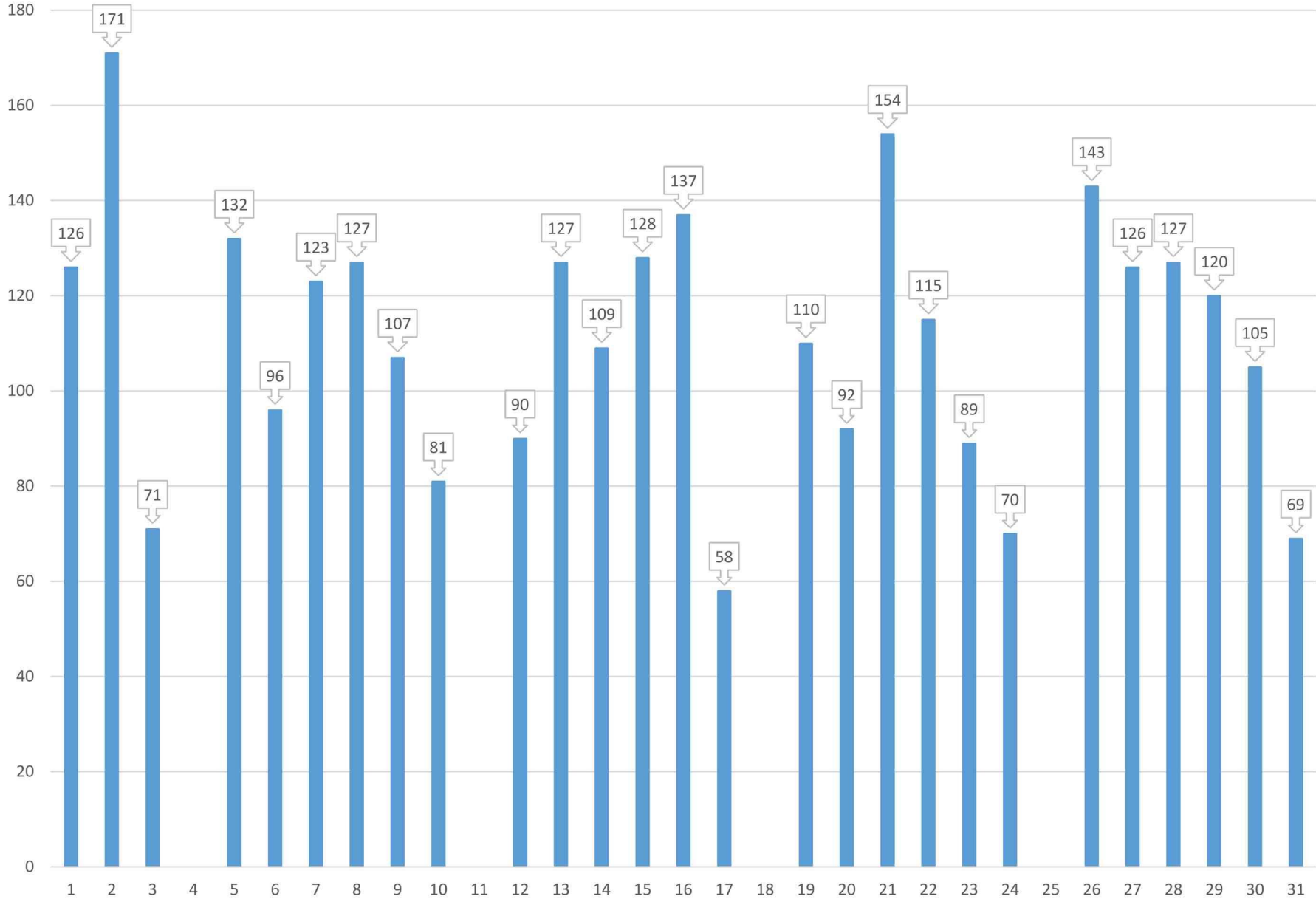
2023-2024

JULY	25	2,154	86
AUGUST	27	2,704	100
SEPTEMBER	25	3,185	127
OCTOBER	26	4,606	177
NOVEMBER	26	4,123	159
DECEMBER	25	2,832	113
JANUARY	24	3,354	140
FEBRUARY	25	3,885	155
MARCH	26	3,479	134
APRIL	26	4,074	157
MAY	26	3,929	151
JUNE	25	3,068	123

RIDERSHIP BY WEEK FOR THE MONTH

PC ROUTE	Aug 1-3	Aug 5-10	Aug 12-17	Aug 19-24	Aug 26-31
MONTHLY TOTAL	368	666	649	630	690

Daily Philomath Connection Riders: August 2024



August 2024

Philomath Connection Count

TOTAL: 3,003

Weekday Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
7:00 AM	9	12			8	8	10	12	8			11	9	9	9	7			10	11	13	9	9			14	14	8	9	7		216
8:00 AM	9	5			11	11	12	15	10			9	10	9	11	7			11	4	5	2	4			7	7	8	7	5		179
9:00 AM	10	6			8	3	8	8	5			7	11	8	5	5			9	8	4	2	11			15	8	9	5	8		163
10:00 AM	15	10			14	2	9	8	9			8	2	4	10	14			8	3	10	9	6			8	5	12	6	11		183
11:00 AM	9	29			13	5	12	9	8			11	10	3	5	6			7	4	13	5	11			11	9	5	8	10		203
12:00 PM	9	7			9	4	5	7	9			6	15	13	9	23			9	4	9	11	4			11	5	6	9	10		194
1:00 PM	8	13			15	9	7	9	12			3	8	12	24	12			9	14	22	10	8			11	8	13	14	7		248
2:00 PM	8	27			11	6	6	12	13			9	16	4	7	13			10	7	18	22	6			14	10	17	13	5		254
3:00 PM	7	27			8	7	9	6	6			5	7	14	13	6			12	5	19	6	8			18	10	14	13	8		228
4:00 PM	16	11			12	12	26	15	12			5	13	11	4	16			10	13	14	10	5			12	18	14	9	13		271
5:00 PM	15	16			15	24	16	23	10			14	18	17	18	16			11	15	18	18	11			15	18	18	22	15		363
6:00 PM	11	8			8	5	3	3	5			2	8	5	13	12			4	4	9	11	6			7	14	3	5	6		152
Total	126	171	0	0	132	96	123	127	107	0	0	90	127	109	128	137	0	0	110	92	154	115	89	0	0	143	126	127	120	105	0	2654
Weekly Totals:				368								666								649								630				690
Saturday Time	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
7:00 AM			4							2							6							9							6	27
8:00 AM			7							4							7							7							9	34
9:00 AM			6							5							4							5							3	23
10:00 AM			9							20							9							5							7	50
11:00 AM			3							2							3							3							4	15
12:00 PM			5							5							4							1							7	22
1:00 PM			7							12							2							8							11	40
2:00 PM			4							9							5							9							10	37
3:00 PM			7							8							8							6							15	44
4:00 PM			5							3							4							7							5	24
5:00 PM			6							9							3							4							6	28
6:00 PM			8							2							3							6							4	23
Total	0	0	71	0	0	0	0	0	0	81	0	0	0	0	0	0	58	0	0	0	0	0	0	70	0	0	0	0	0	0	69	349



Prepared on
August 5, 2024

Performance from
07/08/2024 to 07/18/2024

070824-city-public-hearing-notice (300x250)

#1001492

VEWS	HOVERS	CLICKS
46,311	462	51

PUBLIC NOTICE

**City of Philomath
 Notice of Public Hearing**

The Philomath City Council will hold a public hearing on Monday, July 22, 2024, at 6:00 p.m. at City Council Chambers, City Hall, 980 Applegate Street, Philomath, Oregon, to consider the following application: PC24-02:

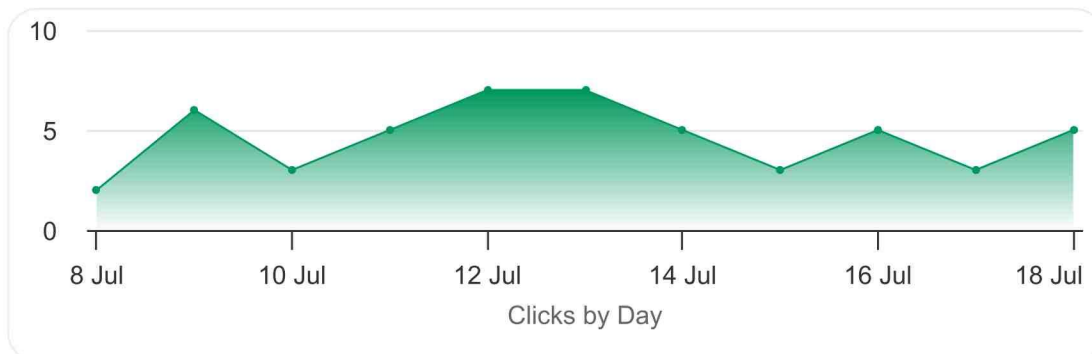
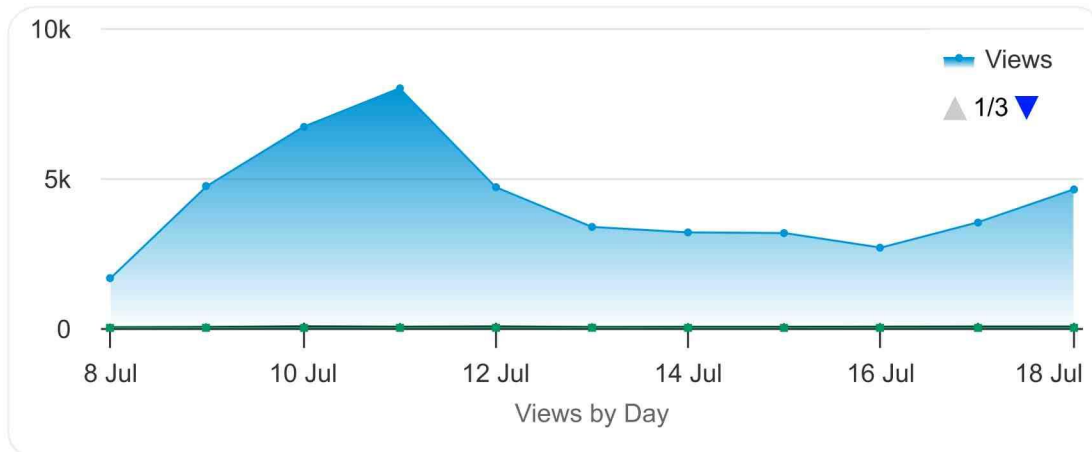
CLICK TO ENLARGE

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Above average performance. The global average display ad performance is 0.06%, according to benchmarks at Google.



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Thursday

Most Viewed Time of the Day
04:00pm

2x the Industry Average

● Mobile (80.0%)
 ● Desktop (20.0%)

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**PHILOMATH PLANNING COMMISSION
REGULAR MEETING MINUTES
Philomath City Hall Council Chambers
August 19, 2024**

1. CALL TO ORDER - ROLL CALL

Meeting called to order at 6:00 p.m. by Chair Gary Conner.

Present:

Gary Conner
John Barlow
Van Hunsaker
Josiah Jessen
Timothy Melott
Darlene Rose
Ruth Causey, City Council liaison

Absent:

Hayley Green

Staff Present:

Chris Workman, City Manager
Michael Bidwell, Associate City Planner

Guest:

Justin Peterson, Community & Economic Development Planner, Oregon Cascades West Council or Governments

2. APPROVAL OF MINUTES

2.1 June 17, 2024

Action Approve minutes as presented.
Motion/Second: Commissioner Hunsaker/Commissioner Melott
Vote: APPROVED 5-0 (Yes: Conner, Hunsaker, Jessen, Melott and Rose; No: None).

3. UNFINISHED BUSINESS

3.1 Climate Friendly Area (CFA) Project Updated Code Language

Start Time: 6:05 p.m.

Discussion:

- Clarifications and proposed code changes including minimum floor area ratios, affordable housing in commercial, and ADA compliance.
- Incorporation of CFA requirements into existing code language.
- Adoption timeframes.
- Requirement shift from job density to square footage requirements.
- Definition adjustments.
- Parking strategies, including both on-street and off-street parking.
- Public process for review and adoption timelines.
- Draft map and proposed CFA area designations.
- Public hearing process and DLCD approval.
- Design standards and accessibility to comply with ADA requirements.
- Affordable housing provisions.
- Non-conforming uses and Accessory Dwelling Units.
- Bicycle parking requirements.
- Primary versus secondary pedestrian entrances.
- Transit infrastructure to ensure accessibility and convenience for transit users.

1 **4. ANNOUNCEMENTS & STAFF UPDATES**

2 Start Time: 7:41 p.m.

3 **4.1 Staff Update –**

- 4 • Annexation and zoning decisions upheld by City Council.
- 5 • Construction underway at Benton County Schools Credit Union building at 7th and
- 6 Applegate.
- 7 • Extensions on approvals for the RV park and storage units.
- 8 • Potential of rezoning a specific property from R3 to Industrial to reflect actual usage.

9
10 **4.2 Regular Meeting: September 16, 2024, at 6:00 PM**

11
12 **5. ADJOURNMENT**

13 Meeting adjourned at 7:57 p.m.

14 SIGNED:

15
16
17
18 Gary Conner, Chair

ATTEST:

Ruth Post, MMC, City Recorder

DRAFT



CITY OF PHILOMATH

Activity Report/Ongoing Projects

August 19, 2024

1. Issued decision on an application for an additional industrial building/office space and parking lot expansion at 535 Landmark Dr.
2. Approved Type II Site Plan application for a new commercial building at 1067 Applegate St. for Philomath Pharmacy.
3. City Council approved annexation at 769 N 9th St and upheld Planning Commission's recommendation of denial for zoning change on 22 July 2024. Ordinance approved by the City Council 8/12/2024.

4. Building permits issued for June 2024 were as follows:
 - Single Family Residential.....0
 - Residential Structural (other) 1
 - Residential Electrical.....3
 - Residential Mechanical 9
 - Residential Plumbing4
 - Residential Manufactured Dwelling 11
 - Residential Demo.....0
 - Commercial Structural0
 - Commercial Electrical0
 - Commercial Mechanical.....0
 - Commercial Plumbing 1
 - Commercial Alarm/Suppression.....0
 - Commercial Demo0

Commercial permit is Les Schwab.

5. Building permits issued for July 2024 were as follows:
 - Single Family Residential.....2
 - Residential Structural (other) 11
 - Residential Electrical.....5
 - Residential Mechanical 10
 - Residential Plumbing 11
 - Residential Manufactured Dwelling 5
 - Residential Demo.....0
 - Commercial Structural0
 - Commercial Electrical5
 - Commercial Mechanical.....0
 - Commercial Plumbing3
 - Commercial Alarm/Suppression.....0
 - Commercial Demo0

Commercial permits are for Les Schwab, Glorietta Bay, S4S Inc, Philomath Market, City of Philomath, and a couple minor regular maintenance projects.

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2
3 **MINUTES**
4 **PHILOMATH**
5 **INCLUSIVITY AD HOC COMMITTEE**
6 July 23, 2024

7 I. ATTENDANCE

8 Start Time: 5:30

9 Diane Crocker, Jane Sherwood, Nora Smith, Rose Bricker, Jessica Andrade, Christopher
McMorran, Amanda Polley, Lauri Lehman, James Rodell, Chris Workman (staff)

10 II. URGENT BUSINESS

11 News article about assistance/transition program at LBCC shared.

12 III. BUSINESS

13 A. Updates & Announcements

14 A.1: PRIDE Event Recap

- 15 • Rose reviewed the recap provided in the meeting packet.
- 16 • Pride Collective is looking to host an event every quarter.

17 B. Inclusivity Calendar Updates

18 B.1: Heritage Celebration/Awareness Banners

- 19 • Sept. is National Hispanic/Latino Heritage Month;
- 20 • Received permission to use logos for Indigenous Peoples Day; final design will come
21 to Chris to distribute to the committee for review. Final will go to the print shop from
22 there.

23 B.2: Age-friendly Communities Proclamation

- 24 • Updated resolution with wording and formatting.
- 25 • Consensus to recommend approval of the resolution to the City Council (9 present).

26 Other:

- 27 • Diane volunteered to draft social media post for Developmental Disabilities
28 Awareness Month
- 29 • Jessica volunteered to prepare post for Hispanic Heritage Month
- 30 • Veterans Day Event –preparing for an event at Paul Cochran Veterans Memorial
31 Park

32 C. Outreach

- 33 • Farmer's Market, Aug. 18th: Christopher, Jessica, Rose, Kate and Nora volunteered
34 to participate at the booth
- 35 • Discussion about the email received regarding thin blue line flag displayed during the
36 Frolic parade. Christopher volunteered to report back to the author of the email that
37 the committee had discussed the topic and felt it appropriate for the author to contact
38 the Frolic Board of Directors with their concerns.

39
40 IV. NEXT MEETING

41 A. June 25, 2024, at 5:30 PM

42 B. Agenda item topic requests

- 43 • August will be Amanda's third chaired meeting, so we will be asking for a new
44 volunteer co-chair.
- 45 • Strengthening Rural Families fundraiser at Lumos announced
- 46 • Kitten Yoga, 2nd to last Wed. every month was announced.

47
48 V. ADJOURNMENT

49 Meeting Adjourned 6:43

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MINUTES PHILOMATH INCLUSIVITY AD HOC COMMITTEE

August 27, 2024

I. ATTENDANCE

Start Time: 5:30

Diane Crocker, Jane Sherwood, Nora Smith, Rose Bricker, Jessica Andrade, Christopher McMorran, Amanda Polley, Lauri Lehman, Michael Bidwell, Kate Stuart, Zina Allen, Izzie Elliot, Chris Workman (staff)

II. APPROVAL OF MINUTES

A. April 23, 2024

B. May 28, 2024

C. July 23, 2024

Approved by consensus (9 present)

Izzie and Jessica joined the meeting

III. URGENT BUSINESS

Comments concerning freedom of speech and the symbol used at the Frolic parade.

IV. BUSINESS

A. Updates & Announcements

A.1: Age-friendly Communities Proclamation – Next Steps?

- Jane will begin the application, sent Chris or Chas the language needed for the letter from the mayor, and report back on what more is needed at the October meeting.

A.2: Update from resident concern

- Christopher followed up with the resident that had expressed concern about the parade.
- No further action requested by the resident. Christopher summarized the nature of the concern and the discussion from last month's meeting.

B. Inclusivity Calendar Updates

B.1: National Hispanic/Latino Heritage Month Social Media Post & Banner

- Discussion of banner with preference for the 3rd option. Request made for using sans serif fonts on the banners.
- Discussion of social media post and desire to add link to the library reading list.
- Desire to provide the post in Spanish and English. Lauri volunteered to have the text translated and provide it to staff.

B.2: Indigenous Peoples Day Proclamation & Banner

- Permission was given to use the logos by the tribes. Discussion about the timeframe needed get review of banners by the tribes.
- Preference given for the second banner option.
- Proclamation dates need updated, and Christopher agreed to check on whether or not the school also had an agreement with the Siletz Tribe, which, if so, should be added to the proclamation.

B.3: National Disability Employment Awareness Month Social Media Post

- Review of social media post. Consensus to approve (11 present)

B.4: Veterans Day Event

- Discussion of plans for an event at the new park. Rose and Chris to coordinate conversation with the Park Board next week. Concerns about the granite slabs being installed at the memorial prior to the event.

B.5: Universal Human Rights Month Social Media Post

- Zina and Diane volunteered to work on December social media post and bring it back to the Committee in October

C. Community Co-Chair Rotation & Meeting Cadence

- Discussion about benefits of serving as a co-chair. Consensus to continue to have a co-chair
- Amanda volunteers to continue as co-chair for the next three months.
- Discussion about the value of meeting monthly.

V. NEXT MEETING

A. September 24, 2024 at 5:30 PM

- Discussion about meeting on 9/24, 10/22 and 11/19 (due to the holiday, if needed), and having no meeting in December.

B. Agenda item topic requests?

- Black History Month event ideas

VI. ADJOURNMENT

Meeting adjourned at 6:46 p.m.



PHILOMATH

HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE

Meeting Minutes

Tuesday, August 27, 2024

Members:

City Staff: Chris Workman

1. ROLL CALL

Spencer Irwin, Carly Johansen, Janel Lajoie, Stuart Pritchard, Whitney Smart, Christopher McMorran, Matt Lehman, Chris Workman (staff).

No quorum, so no actions were taken during the meeting,

2. BUSINESS

2.1 Election of Committee Chair, Co-Chair, and Scribe
Postponed due to lack of quorum

2.2 Review of proposed residential development code
Chris provided an overview of the proposed zoning map and residential development code; answered questions about industrial and commercial development.

3. ADJOURNMENT

8:30 pm

NEXT MEETING: TBD