

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, April 19, 2023  
9:00 a.m.

Senator Hearing Room  
555 Court Street NE  
Salem, OR 97301

**PRESENT:** Commissioner Colm Willis, Commissioner Kevin Cameron, and Commissioner Danielle Bethell. Also present were Jane Vetto as county counsel and Brenda Koenig as recorder.

**ABSENT:** Jan Fritz, chief administrative officer.

Commissioner Willis called the meeting to order at 9:00 a.m.

*(Video Time 00:01:56)*

**PUBLIC COMMENT**

Keisha Martinez:

- Ms. Martinez signed up to speak during public comment, but she was not present when Commissioner Willis called her name.

*(Video Time 00:02:10)*

Commissioner Bethell moved to remove Item # 5 from the Action Agenda under Health and Human Services: Consider approval of Amendment #10 to the incoming funds Participating Provider Service Agreement with PacificSource Community Solutions to add \$24,000,000 for a new contract total of \$62,172,591 to implement and administer covered services under the Oregon Health Plan through December 31, 2023. Seconded by Commission Cameron; motion carried. A voice vote was unanimous.

*(Video Time 00:03:05)*

**PRESENTATION**

1. 2022 Volunteer Annual Report. –Sherry Lintner

***Summary of presentation:***

- National Volunteer Week is a time to recognize and celebrate the volunteers and the contributions they make to Marion County;
- Approximately 50 county employees manage and work with volunteers;
- In 2022 the county had 1,394 volunteers who together donated 56,168 hours of service:

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- Based on the Independent Sector's 2022 published national rate of \$29.95 per hour, the donated service time is valued at over \$1.6 million dollars.
- Volunteers in 2022 included some of the following:
  - There were 49 interns, practicum students, or AmeriCorps members:
    - In 2019 the county hosted 24 interns and practicum students; and
    - In 2022 the county hosted 47 interns and practicum students.
  - Individuals who volunteered for an advisory board or committee totaled 164:
    - Approximately 2,441 service hours were donated.
  - There were 1,183 volunteers who donated time to a county program.
- Interns, practicum students, and AmeriCorps members volunteered throughout the county in 2022:
  - Approximately 11,000 service hours were donated.
- The Marion County Board of Commissioners has appointing authority for the following:
  - County advisory boards;
  - Committees; and
  - Designated positions on two multi-jurisdictional committees.
- Advisory boards and committees containing members who have served more than 10 years include the following:
  - The Ambulance Service Area (ASA) Advisory Committee;
  - The Board of Property Tax Appeals (BoPTA);
  - The Budget Committee;
  - The Fair Board;
  - The Local Alcohol and Drug Planning Committee (LADPC);
  - The Marion Water Quality Advisory Committee (MWQAC);
  - The Parks Commission;
  - The Planning Commission;
  - The Public Safety Coordinating Council (PSCC); and
  - The Solid Waste Management Advisory Council (SWMAC).
- Most of the county's volunteers serve in programs including some of the following:
  - The Marion County Dog Shelter:
    - The shelter has been running at full capacity for an extended time period;
    - In 2022, the shelter received 1,257 dogs;
    - Dog shelter volunteers help to save the lives of dogs;
    - Volunteers assist staff with some of the following:
      - Identifying behavioral issues;
      - Providing training and socialization:
        - This greatly increases a dog's chance of having a successful adoption.
      - Caring for dogs following surgery;
      - Laundry;
      - Dish washing;
      - Food preparation;

- Attending outreach events;
  - Assisting potential adopters; and
  - Providing temporary shelter for dogs through the foster program.
- Marion County Environmental Services (MCES):
  - The Master Recyclers Program was recently updated and reintroduced;
  - Community members receive training and are given the opportunity to partner with the MCES team to share strategies and solutions with the community;
  - MCES volunteers assist with some of the following:
    - Events, including repair fairs and toy swaps;
    - Conducting food waste audits;
    - Youth education;
    - Earth Day planning;
    - Program reviews; and
    - Beta testing for updated training.
- The Marion County Fair:
  - Seven Fair Board Members and five Key Volunteers donate countless hours of managing and planning for the county's fair;
  - Collectively fair volunteers assist with some of the following:
    - Managing the barns and 4-H activities;
    - Managing the food and commercial vendors;
    - Managing the carnival and entertainment;
    - Obtaining sponsorships;
    - Overseeing the competitions and exhibits;
    - Special events;
    - Facility issues;
    - Parking; and
    - Financial and budget functions.
  - The 2022 Marion County Fair welcomed 26,000 visitors.
- The Marion County Sheriff's Office (MCSO) volunteer programs include some of the following:
  - Search and Rescue:
    - Volunteers use their skills and equipment to assist in searches for lost, missing, and deceased individuals;
    - Searches occur primarily in outdoor urban, rural, and wilderness areas;
    - Volunteers are certified through the Search and Rescue Academy;
    - Volunteers they are required to have an additional 30 hours of training each year that builds core competencies for some of the following:
      - Map and compass use;

- Treatment for hypothermia and heat stroke;
  - Crime scene procedures;
  - Search procedures and patterns;
  - Tracking techniques;
  - Radio communications; and
  - Wilderness survival.
- Volunteers assist in other areas when a need arises:
  - During a 2022 ice storm volunteers provided transportation to and from work for hospital staff, and they assisted with Meals on Wheels deliveries.
- The Cadet Unit Program:
  - The unit is comprised of youth ages 14 to 21;
  - Volunteers are required to complete the following:
    - A written test;
    - An oral interview; and
    - A thorough background check.
  - After completing the program, volunteers commit to a minimum of 20 hours of service and training each month; and
  - Cadets help with security and traffic control at numerous community events.
- Approximately 80 volunteers provide spiritual and recovery support for Adults-In-Custody (AIC) at the Marion County Jail; and
- Approximately 220 volunteers partnered with the MCSO in 2022.
- The Marion County District Attorney:
  - The Victim Assistance program also utilizes volunteers;
  - Victim advocate volunteers assist victims with some of the following:
    - Exercising their rights within the criminal justice system;
    - Guiding victims through the legal process;
    - Helping victims connect with needed supports, including basic needs and housing; and
    - Assisting victims with the protective order process.
  - The District Attorney’s office also hosts specially trained sexual assault response volunteers:
    - The volunteers accompany victims of sexual assault at the hospital during their forensic exam; and
    - They provide support following the exam.
  - Volunteers assist with some of the following:
    - Outreach events;
    - Office tasks; and
    - Attending grand jury hearings if needed.
- Many of the county’s programs accept volunteers year-round;
- Some county programs require volunteers to attend specialized training;

- Search and Rescue volunteer applications are taken in November, and training starts in December;
- The Cadet Unit volunteer training is held in January;
- Victim Assistance victim advocate training is offered in March and September; and
- Victim Assistance sexual assault response advocate training is offered in July.
- Individuals can visit the county’s website and social media pages for information regarding current and ongoing volunteer opportunities:
  - The dog shelter has an ongoing need for volunteers;
  - The fair will be recruiting volunteers in the near future; and
  - There are often vacancies on the county’s advisory boards:
    - Recruitment for advisory board’s is on-going; and
    - Applications are always accepted.
- Ms. Lintner expressed her gratitude to the county’s volunteers, and to the Commissioners for their support of the county’s volunteer programs and volunteers.

***Board discussion:***

- The county does not utilize volunteers in elections:
  - The Marion County Clerk’s Office hires temporary staff to support elections.
- Election observers are volunteers for other organizations;
- Commissioner Bethell would like to know how many hours volunteers are participating in the county’s elections;
- Commission Cameron complimented Commissioner Bethell and Ms. Lintner for improving the county’s recruitment outreach for boards, including having the commissioners more involved in the appointment process;
- The commissioners’ commitment and involvement has resulted in an increased geographical representation on county boards; and
- The commissioners thanked all the Marion County volunteers for their work and contributions.

*(Video Time 00:27:27)*

**PROCLAMATION**

**PUBLIC WORKS – ACTION**

2. Consider approval of a proclamation designating April 22, 2023, as Earth Day in Marion County. –Thomas Kissinger

***Summary of presentation:***

- The county will celebrate Earth Month by engaging the community in a month-long public outreach campaign focused on the following:
  - Reducing waste;
  - Improving water quality; and
  - Highlighting the county’s parks.

- The culmination of Earth Month will be a free event on Saturday, April 22, 2023, from noon to 4 p.m. at Spong's Landing Park:
  - The event includes some of the following:
    - Nature walks;
    - Live music;
    - Terrarium building;
    - Arts and crafts; and
    - An educational scavenger hunt with county partners where individuals can learn how to reduce waste and improve the environment.
- Twenty-seven volunteers are assisting with the Earth Day event; and
- The event provides the opportunity to engage and educate the public.

***Board discussion:***

- One of the Earth Month activities is the Passport to Sustainability:
  - The Passport to Sustainability provides individuals with an opportunity to learn about ways they can engage in waste reduction and other programs; and
  - The Passport to Sustainability can be found on the Environmental Services Facebook page and the county's website.

**MOTION:** Commissioner Cameron moved to approve a proclamation designating April 22, 2023, as Earth Day in Marion County. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

The Commissioners read the proclamation.

(Video Time 00:38:45)

## CONSENT

### BOARD OF COMMISSIONERS

#### OLCC Application – Recommended Approval

3. Silver Falls Country Store, LLC, dba, Silver Falls Country Store – Silverton, Oregon

### PUBLIC WORKS

4. Approve an order appointing Gregory J. Walsh as the Marion County Emergency Management Director.

**MOTION:** Commissioner Bethell moved for approval of the consent agenda. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

***\*\* A scrivener's error was discovered while processing the above-mentioned minutes. A motion was made to approve the Oregon Liquor and Cannabis Commission (OLCC) application for Silver Falls County Store in Silverton, Oregon. The business is called Silver Falls Country Store.***

## ACTION

### HEALTH AND HUMAN SERVICES

5. Consider approval of Amendment #10 to the incoming funds Participating Provider Service Agreement with PacificSource Community Solutions to add \$24,000,000 for a new contract total of \$62,172,591 to implement and administer covered services under the Oregon Health Plan through December 31, 2023. –Ryan Matthews

***\*\* A motion was made and approved to remove this item from the Board Session agenda.***

(Video Time 00:39:15)

6. Consider approval of the incoming funds Intergovernmental Agreement with the Oregon Health Authority in the amount of \$1,140,000 to provide Medicaid Administrative Claiming (MAC) services through June 30, 2028. –Ryan Matthews

#### ***Summary of presentation:***

- The funds will reimburse the county for Medicaid Administrative Claiming (MAC) services:
  - The reimbursed funds will not be administered in a lump sum; and
  - Funding will be administered through the contract:
    - The contract is for five years;
    - The county will bill for Oregon Health Authority (OHA) for the services;
    - The maximum amount that can be billed is up to \$1,140,000; and

- The county's average quarterly invoice is approximately \$10,000 to \$30,000.
- The MAC program reimburses for services that assist the Medicaid population and include some of the following:
  - Outreach and application assistance;
  - Referral coordination and training of Medicaid services;
  - Transportation and translation; and
  - System coordination with other agencies or providers.
- There are currently eight individuals in the county's MAC pool:
  - The individuals in the pool submit surveys every quarter;
  - The time is coded based on the activities that are being performed that fall under MAC; and
  - The county bills for a percentage of their time based upon the survey:
    - The information is entered into a web portal that determines how much can be claimed.
- There are fewer individuals in the program due to a reduction in services that are offered.

***Board discussion:***

None.

**MOTION:** Commissioner Cameron moved to approve the incoming funds Intergovernmental Agreement with the Oregon Health Authority in the amount of \$1,140,000 to provide Medicaid Administrative Claiming (MAC) services through June 30, 2028. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:42:34)*

7. Consider approval of Amendment #2 to the Contract for Services with Carrolls Group Care Home, Inc. to add \$80,000 for a new contract total of \$150,000 to provide client services for youth and young adults in transition to residential services through June 30, 2023. –Ryan Matthews

***Summary of presentation:***

- The funding provides services are for individuals who reside in the Carrolls Group Care Home;
- The county receives funding from the Oregon Health Authority (OHA) for adult residential and foster care services:
  - The county does not provide the services;
  - The state funds are passed through the county to the organization providing the service:
    - The county receives invoices from the foster care and residential providers;



- The county pays the invoices; and
  - The county is then reimbursed through a contract with OHA.
- Carrolls Group Care Home has ten beds for male clients only:
  - The individuals are required to have a mental health diagnosis; and
  - There are currently nine residents, and one referral is pending.
- Carrolls Group Care Home is a residential treatment facility that is the first step down from the Oregon State Hospital or other acute inpatient settings:
  - The individuals are placed in a treatment facility where mental health workers help to support them with:
    - Meals;
    - Skill building;
    - Life skills;
    - Hygiene; and
    - Integration into society.
- The goal is for the residents to be able to step down into a lower level of care;
- The target population has a right to choose the setting that they live in; and
- The county is reimbursed by the state for the services.

***Board discussion:***

- Individuals living in Carrolls Group Care Home have given their consent to live in the home and receive supports:
  - The individuals are required to follow the house rules;
  - Get along with the other residents; and
  - Not be disruptive or engage in behaviors that put others at risk.
- Individuals are usually referred by the facilities they are currently residing in when it is determined that they are ready for a lower level of care;
- There is no statutory time limit for how long an individual can reside in the care home:
  - The length of stay is based on an individual's treatment plan; and
  - Individuals residing in the homes may need to stay for an extended period of time or potentially years.

**MOTION:** Commissioner Bethell moved to approve Amendment #2 to the Contract for Services with Carrolls Group Care Home, Inc. to add \$80,000 for a new contract total of \$150,000 to provide client services for youth and young adults in transition to residential services through June 30, 2023. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:49:06)

8. Consider approval of the incoming funds Intergovernmental Agreement with the Oregon Department of Human Services in the amount of \$300,000 to provide job placement services for vocational rehabilitation participants that have been referred by ODHS through June 30, 2025. –Ryan Matthews

**Summary of presentation:**

- The funds are utilized for the county’s supported employment program:
  - The program works with individuals who have mental health challenges who want to set career goals and find employment.
- County supported employment specialists work with the employer and the individuals to provide some of the following types of services:
  - Financial assistance for clothing for interviews or work apparel;
  - Job placement services;
  - A career assessment to help individuals establish career goals; and
  - A job coach that works with the employer and the new employee to help ensure success.
- The core philosophy of the program is that anyone, regardless of mental health challenges, substance use disorders, or other disabilities, is capable of working in a competitive job that they are interested in:
  - The program works to break down barriers.
- The county has seen a high success rate with the program:
  - In the prior two-year contract 201 individuals were enrolled and served;
  - Ninety-three individuals started jobs; and
  - Twenty-five individuals were successful on the job for over one year and no longer required the county’s support.
- The program includes a supported education component to help individuals with a career specific education:
  - Last year individuals in the program enrolled to achieve 426 credits:
    - 299 credits were completed;
    - The overall average grade point average was 3.13;
    - Two individuals earned their General Educational Diploma (GED);
    - Two individuals earned a four-year degree; and
    - Three individuals earned career specific certificates.

**Board discussion:**

- Individuals receiving the services are required to have a mental health diagnosis;
- Individuals receiving the services are usually enrolled in the county’s behavioral health programs;
- The county also takes referrals from other outpatient programs;
- The individuals may have mental health challenges;

- The county’s mental health staff will build relationships with different community employers;
- The program is built into the individuals treatment plan; and
- The program helps the individual achieve their goals.

**MOTION:** Commissioner Cameron moved to approve the incoming funds Intergovernmental Agreement with the Oregon Department of Human Services in the amount of \$300,000 to provide job placement services for vocational rehabilitation participants that have been referred by ODHS through June 30, 2025. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:55:21)*

**PUBLIC WORKS**

9. Consider approval of the Purchase and Sale Agreement with Caster Joint Revocable Living Trust in the amount of \$360,000 for the purchase of 6.03-acres of land adjacent to the Scotts Mills County Park and an order authorizing Brian Nicholas, Marion County Public Works Director, to act as a signatory during the closing process. –Thomas Kissinger

***Summary of presentation:***

- In 2018 the county sold Auburn Park to the Salem-Keizer School District to facilitate the expansion of Auburn Elementary School:
  - The appraised value and sale price of the park was \$360,000.
- Auburn Park was purchased and developed in the 1970s utilizing federal Land and Water Conservation Fund dollars:
  - Utilizing federal funds required the county to purchase and replace the park property if it was sold.
- There are two components to the conversion of one park to another:
  - The new property must have equal or better appraised value; and
  - The new property must have equal or better appraised recreational value.
- Marion County Public Works has been working with the Caster family to fulfill the conversion requirements through the acquisition of 6.03 acres adjacent to the Scotts Mills County Park:
  - Staff has negotiated a purchase and sale agreement with the Caster Joint Revocable Living Trust to establish the terms of the proposed property sale to Marion County:
    - The appraised property value and agreed upon purchase price is \$450,000 which entails the following:
      - A \$360,000 cash payment by the county; and
      - A \$90,000 land value donation to the county by the trust.
- Upon approval of the purchase and sale agreement staff will begin the closing process, and then they will begin the formal conversion process with Oregon State Parks:

- Oregon State Parks manages the Land and Water Conservation Fund.

***Board discussion:***

- Scotts Mills County Park is currently 9.7 acres;
- The 6.03-acre addition will increase the parks size and amenities:
  - More walking trails will be added.
- It has been important for the county to find a replacement park property so that other grants can be applied for;
- The county was a good neighbor to the Salem-Keizer School District when they sold Auburn Park to the school district;
- In order for the county to move forward with the parks system it is required that the funds from the sold park property be utilized for the purchase of another park property; and
- It has been challenging to find another park that the community supports.

**MOTION:** Commissioner Bethell moved to approve the Purchase and Sale Agreement with Caster Joint Revocable Living Trust in the amount of \$360,000 for the purchase of 6.03-acres of land adjacent to the Scotts Mills County Park and an order authorizing Brian Nicholas, Marion County Public Works Director, to act as a signatory during the closing process. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

*(Video Time 00:59:51)*

10. Consider approval of the incoming funds Post-Fire Recovery Grant Agreement with the Oregon Watershed Enhancement Board in the amount of \$541,559 for restoration work expenses in the county's right-of-way on North Fork Road and Gates Hill Road through June 30, 2023. – Scott Wilson and Thomas Kissinger

***Summary of presentation:***

- The grant agreement is for post-fire recovery work in the Santiam Canyon;
- In September 2020, the Beachie Creek wildfire swept through the Santiam Canyon and devastated the natural environment;
- Hazard tree removal during post fire cleanup significantly impacted soil and watershed health, particularly in riparian areas along the Little North Fork Santiam River;
- Marion County Public Works maintains approximately 200.37-acres of right-of-way on North Fork Road and Gates Hill Road:
  - Tree and vegetation loss in some of these areas is as high as one hundred percent.
- A restoration plan has been developed that provides some of the following benefits:
  - Revegetates the natural environment for public use;
  - Controls noxious weeds; and
  - Restores critical habitat for fish and wildlife.

- The county applied for, and was awarded, a post-fire recovery grant from the Oregon Watershed Enhancement Board (OWEB) that will assist with the costs associated with restoration work in the county right-of-way on North Fork Road and Gates Hill Road;
- The total grant agreement is for \$541,559:
  - There is no required match from the county.
- The county has a legal requirement through the Oregon Forest Practices Act to revegetate the area after a salvage harvest logging;
- Grant funding will provide for some of the following:
  - Contracted services and materials to provide noxious weed control, planting, and site preparation;
  - A one-year salary and benefits for a full-time position to assist with coordination and inspection of the project;
  - The purchase of a new mulching head for the county's Case excavator that will be used for maintenance of the plantings in the ditches along the roadways; and
  - Training for staff on how to identify and control noxious weeds in the project area.
- There is an estimated \$25,000 in pass-through funding to the North Santiam Watershed Council that will be utilized to assist private landowners in the area with noxious weed:
  - If private landowners do not have the resources to control their noxious weeds, the weeds will spread to the county's property.

***Board discussion:***

- Some trees have already been planted, and the trees for this season are secured; and
- This is a new grant agreement with the same constraints as a prior grant agreement.

**MOTION:** Commissioner Cameron moved to approve the incoming funds Post-Fire Recovery Grant Agreement with the Oregon Watershed Enhancement Board in the amount of \$541,559 for restoration work expenses in the county's right-of-way on North Fork Road and Gates Hill Road through June 30, 2023. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 01:05:31)*

11. Consider approval of the Contract for Services with Riverbend Materials in the not-to-exceed amount of \$268,537.50 for the purchase of chip seal aggregate through October 31, 2023. –Scott Wilson

***Summary of presentation:***

- The chip seal pavement preservation process entails the following:
  - Spraying liquid asphalt on the road surface; and
  - Covering the material with a layer of aggregate:
    - The aggregate used for chip seals has a unique specification that is required for the process.

- The contract with Riverbend Materials has a one-year term;
- The quantity of aggregate being purchased is expected to fulfill the county’s summer workload;
- The Contract for Services was awarded through an Invitation to Bid;
- The service is a budgeted expenditure for fiscal year 2022-23 and fiscal year 2023-24;
- Chip seal treatments are an effective pavement maintenance treatment with some of the following benefits:
  - Provides a durable waterproof wear course; and
  - Extends the life of the county’s existing pavements.
- Marion County Public Works is targeting approximately 57 miles of roads this summer for chip sealing:
  - Staff will be focusing on roads in the southern portion of the county.
- Staff recommends that the board approves the Contract for Services with Riverbend Materials for the purchase of chip seal aggregate.

***Board discussion:***

- One road has been identified that will receive a double treatment of chip seal to add additional durability to the pavement; and
- The aggregate is the gravel that is applied by the county’s chip spreader.

**MOTION:** Commissioner Bethell moved to approve the Contract for Services with Riverbend Materials in the not-to-exceed amount of \$268,537.50 for the purchase of chip seal aggregate through October 31, 2023. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

*(Video Time 01:08:54)*

**PUBLIC HEARINGS  
9:30 A.M.**

**PUBLIC WORKS**

A. Public hearing to consider a Mass Gathering (MG) application for Case #23-001/ Whitewind Woodland, LLC. –Lindsey King

***Summary of presentation:***

- The application is for a large Mass Gathering (MG) permit on property located outside the City of Silverton that is zoned Exclusive Farm Use (EFU);
- The property is located on the south side of Cascade highway, on the southwest corner of Cascade Highway and Valley View Road;
- Surrounding properties consist of farm use and timberland that is all zoned EFU;

- The applicant is requesting to hold a renaissance fair as a large MG on the following dates:
  - July 22, 2023;
  - July 23, 2023;
  - July 29, 2023; and
  - July 30, 2023.
- Estimated attendance is less than 4,000 people:
  - This is approximately 1,000 more individuals than in previous years:
    - The previous years event was permitted for a small MG; and
    - The increase of an estimated 1,000 individuals meets the definition of a large MG permit.
- The application contains the following information:
  - Sound amplification will be utilized during the daily jousting shows at 12:00 p.m. and 4:00 p.m.;
  - There will be no amplified sound after 11:00 p.m. or before 9:00 a.m. on any given day;
  - Alcohol will be available; and
  - Fireworks will not be used or shown.
- The following governmental agencies were requested to ensure that there are adequate facilities and services available:
  - Marion County Public Works;
  - The Marion County Sheriff's Office;
  - Marion County Health and Human Services, Environmental Health;
  - Marion County Risk Management; and
  - The City of Silverton fire district:
    - All contacted agencies gave comments of approval or no opposition.
- No comments were received from any neighboring property owners or from anyone who was notified of the public hearing;
- The event has been occurring for multiple years;
- Marion County code requires that large MG events have an approved Conditional Use (CU) permit:
  - The applicant has obtained a CU permit and it has been approved by the hearings officer.
- The board has the following options:
  - Continue the public hearing;
  - Close the public hearing and leave the record open; or
  - Close the public hearing and approve, deny, or modify the proposal.
- Staff recommended that the board approve the large MG permit for 2023 through 2026; and
- The approval would be subject to the recommended conditions of approval.

**Testimony:**

**Support:**

Nancy White:

- Ms. White is the owner and the applicant;
- This is the thirteenth year of the renaissance fair;
- Last year there were parking issues:
  - The issue has been resolved for this year's event; and
  - There will be an overflow parking area and a shuttle bus.
- The event includes the following:
  - Period carnival games;
  - A jousting show;
  - A mounted archery with trick horse riding event;
  - Entertainment throughout the village; and
  - Food:
    - The alcohol will be served within a contained area.

**Board discussion:**

None.

**MOTION:** Commissioner Cameron moved to close the public hearing and approve the Mass Gathering (MG) application for Case #23-001/ Whitewind Woodland, LLC. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 01:16:03)*

B. Public hearing to consider a small Mass Gathering (MG) application for Case #23-002/ Buyserie Farms and Paintball Inc. –Austin Barnes

**Summary of presentation:**

- The item before the board is an application for a small Mass Gathering (MG) permit;
- The applicant is requesting to hold a small MG event on the following dates:
  - May 5, 2023;
  - May 6, 2023; and
  - May 7, 2023.
- The event will be held on a 259-acre parcel of land zoned Exclusive Farm Use (EFU), just outside the City of St. Paul:
  - The property is located on the eastern and western sides of French Prairie Road, approximately 5,000 feet north of the intersection with the St. Paul Highway;
  - The property is currently in farm use with an orchard; and
  - The property also contains wooded areas that are not currently farmed.
- Surrounding property uses are farm uses in all directions:



- Adjacent parcels are zoned EFU and planted with various farm crops and nurseries.
- The area has a mix of farm parcels with dwellings and farm parcels without dwellings;
- The applicant is requesting to conduct a small MG paintball gaming event known as SuperGame;
- The application contains the following information:
  - Sound amplification will be utilized:
    - There will be no amplified sound after 11 p.m. or before 9 a.m. on any given day.
  - Alcohol will not be available; and
  - Fireworks will not be used or shown.
- The applicant has been holding the event at the subject property since 2016:
  - There have been no issues related to the following:
    - Traffic;
    - Parking;
    - Safety; or
    - Noise:
  - There is no history of code enforcement or police being dispatched to the event.
- The event will follow the same footprint as prior years:
  - Attendees can camp on the property and stay for the weekend while participating in various paintball games located on the property.
- The estimated attendance is 1,500 individuals per day, with 500 individuals staying on the property each night;
- The applicant has provided the following:
  - Proof of insurance for the event;
  - A clean supply of water; and
  - Sanitation facilities for attendees.
- The applicant has gathered signatures in support of the event from the following:
  - The City of St. Paul Fire District;
  - Marion County Health and Human Services, Environmental Health;
  - The Marion County Sheriff's Office; and
  - Marion County Public Works, Traffic Division.
- No public comments have been received for the application;
- The board has the following options:
  - Close the public hearing and approve the request;
  - Close the public hearing and modify the request; or
  - Close the public hearing and deny the request.
- Staff recommends that the board close the public hearing and approve the request.

***Board discussion:***

- Staff has received the results from drinking water tests for chloroform and nitrates:
  - The tests show no issues.

**Testimony:**

**Support:**

Derek Stryker:

- Mr. Stryker is the event coordinator for SuperGame;
- Mr. Stryker expressed the following:
  - The number of individuals camping overnight has grown substantially in the last few years;
  - Champoeg State Park is a camping overflow partner for the event;
  - Hotels in the City of Newberg will be accommodating individuals attending the event; and
  - Many spectators come to watch the event and enjoy the vendor area:
    - The vendor area accommodates 30 to 40 vendors; and
    - Food vendors participating in the 2023 event has increased.

**Board discussion:**

- The small MG permit is for five years:
  - The permit must be renewed every five years:
    - A public hearing is part of the renewal process.

**MOTION:** Commissioner Bethell moved to close the public hearing and approve the Mass Gathering (MG) application for Case #23-002/Buyserie Farms and Paintball Inc. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

*(Video Time 01:22:09)*

Commissioner Willis requested and received unanimous consent to return to Public Comment.

**PUBLIC COMMENT**

Keisha Martinez:

- Ms. Martinez wanted to bring to the boards attention that she filed a protection order for herself and her property;
- Ms. Martinez expressed the following:
  - The detailed reasons for the protection order can be found in a court filing;
  - She feels her rights may have been violated; and
  - A judge has signed an order.

(Video Time 01:25:10)

**Board discussion:**

Commissioner Cameron expressed the following:

- After the 2020 wildfires he volunteered to be on the City of Detroit Planning Commission;
- A continuing issue for the city has been what Recreational Vehicles (RVs) are allowed and not allowed to do;
- Over the last year the code has been under review by the following:
  - The city council; and
  - The planning commission.
- An in-person meeting was held on April 18, 2023, to adopt the code and make a recommendation:
  - The recommendation was to adopt the code as presented; and
  - Add a Conditional Use (CU) for individuals who wanted to apply as an RV Park.
- The code that was adopted by the planning commission will allow for one RV year-round in a designated site:
  - Individuals can live in the RV during the recreation season; and
  - One RV can be added during the recreation season.
- The planning commission made the recommendation to the city council; and
- The city council will hold a public hearing on May 9, 2023.

Commissioner Willis adjourned the meeting at 10:30 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

**Board Sessions can be viewed on-line at**

**<https://www.youtube.com/playlist?list=PLSUQ1gg6M78UsBE3q6w4rdf59Z5rXkEi5>**