



Management Update Summary Minutes

Monday, May 2, 2016, 9:00 a.m.

Courthouse Square, 555 Court St. NE, Salem
5th Floor, Suite 5232, Silverton Conference Room

ATTENDANCE

Commissioner Kevin Cameron, Commissioner Sam Brentano, Jan Fritz, Scott Norris, Alan Haley, Jolene Kelley, Caron Galvin-Price, Pam Hutchison, Joe Fennimore, Rick Sherman, Rob Winters, Barb Young, Alan Haley, Rod Calkins, Brandon Reich and Kenna West as recorder.

Jan Fritz called the meeting to order at 9:02 a.m.

COMMUNICATIONS

Jolene Kelley, Public Information Coordinator, gave current updates.

Summary of Discussion:

- The Statesman Journal headline indicated that 60 individuals in Marion and Polk County had applied for marijuana licenses. Concerned regarding the accuracy of this headline.
- Staff will research the number of applications with OLCC and report back.

INFORMATIONAL

Review Public Auction of Tax Foreclosed Real Property

Summary of Presentation:

- Six properties to sell at auction on June 23, 2016 at 10:00 am;
- Board Order drafted for review;
- To purchase the properties at auction prospective buyers must have a 25% down payment the day of the auction and:
 - Must be in the form of a cashier's check;
 - Personal check may be used, but must be replaced by a cashier's check within a set amount of time; and
 - Buyer has 30 days to either enter a contract with the county or pay the balance.
- Advertising will start in the Statesman Journal starting May 20, 2016; and
- There are two properties that were on last year's list that are being dealt with independently from the auction:
 - Mt. Angel property - Owners have health conditions and are working with the Health Department to locate an apartment to move into so the county can take the property; and
 - Other property - The owner hopes to buy it back from the county.

Discuss Mobile Food Units in Marion County

Summary of Presentation:

- Reviewed what the Food Unit Program covers. By statute, required to license and inspect food establishments that serve food to the public;
- There are two types of licenses: temporary and built:
 - The built license includes mobile units and commissaries;
- Violation priority levels include: priority, priority foundation and core;
- Core is a general sanitation which may become priority if not fixed;
- License process includes:

- All operators must submit plans before they open;
 - Plans are reviewed;
 - Plans approved or disapproved;
 - Once approved a pre-opening inspection is performed;
 - A license is issued;
 - Then unannounced inspections at least twice a year;
 - Also, inspections based on complaints; and
 - Receive stickers showing compliance after first unannounced inspection.
- Classes of mobile units:
 - Class 4 mobile is a full kitchen which can operate wherever with whatever menu they want; and
 - Less than Class 4 requires a commissary, which is basically a commissary without seats and has the same equipment as a restaurant.
- Approximately 60% of the mobile food units move around and the other 40% are permanently set-up in the same location every day;
- The largest concentration is in the Salem-Keizer area and most cities have 1-2 mobile units each;
- There has been a growth of mobile units with 94 in 2010 and 155 in 2015;
- Mobile units are not scored like restaurants and they don't get points. They are simply open or closed;
- The department underwent a quality improvement project to make certain the mobile units were being inspected. The issues included:
 - Difficulty finding trucks because they move around;
 - Inspectors weren't actually looking for the trucks; and
 - Some of the trucks weren't where they said they were.
- New rules and procedures in place to resolve the issues;
- It should be noted that jurisdictions can have different rules:
 - Woodburn has banned food trucks; and
 - City of Salem requires a separate city license.
- Department of Agriculture regulates food establishments, grocery stores, meat markets and convenience stores:
 - If a food truck is set up outside of a grocery store or meat market it comes under the umbrella of the Department of Agriculture rather than the county.

Summary of Discussion:

- Discussion and clarification regarding statutes surrounding the inspection of mobile food units.
- Discussion regarding a group comprised of multiple jurisdictions with a focus on requiring scoring for mobile units:
 - This group has been delayed as other issues have arisen surrounding the new marijuana laws.
- Discussion and clarification regarding the difficulty of advising public regarding illness issues associated with mobile units. These difficulties include:
 - Due to the number of food trucks in one location, cannot determine which may have been involved; and
 - Difficulty in determining which food truck because some are licensed in other counties but come into Marion County without a license.

Discuss Application for Special Assessment of Open Space Land

Summary of Presentation:

- Have received an application from the Tribes of Grande Ronde for an open space designation for special assessment:
 - Instead of farm deferral they will have open space deferral;
 - 429 Acres on the North Santiam River west of Stayton;

- Once submitted to Assessor they have 10 days to submit to Planning Commission;
- Have until April 1, 2017 to make a final decision on this matter; and
- Unless otherwise directed would like to submit to Planning Commission, get their opinion then bring back to Board for public hearing.
- Three of the parcels have some sort of improvements on them; and
- Reviewed ORS 308A.309(1)&(2) which delineates the weighing factors and provides process.

Summary of Discussion:

- After clarification of the location of the property, the pertinent statutes, the possible options and the potential issues the Board provided the following direction:
 - Provide information on any tax assessment issues;
 - Discuss with Department of Agriculture regarding fallow / weed production;
 - Have the Planning Commission review;
 - Provide notice of review to neighbors; and
 - Follow statutory processes.

Review Marion County Parks Projects Opportunities

Summary of Presentation:

- First Opportunity – Sixty acres of Willamette River frontage which is currently a gravel pit:
 - The owners have approached Marion County to determine if would like to purchase for a park and boat landing.
- The advantages include:
 - Beautiful property;
 - Resembles Aumsville Ponds;
 - Would be a natural park because cannot do maintenance but could have natural picnic areas and fishing; and
 - A boat ramp is needed for Marion County.
- The disadvantages include:
 - County doesn't need 60 acres; two acres would be sufficient;
 - Parks does not have the funds for the purchase at this point; and
 - Parks does not have the funds for maintenance of the park.
- At this point the price is unknown:
 - The owners are awaiting a letter of interest from the county before having the property assessed; and
 - It is assumed it will be an expensive piece of property as it is currently an active gravel pit.

Summary of Discussion:

- Clarification of the entity that owns the property;
- Discussion regarding purchasing options:
 - Exchange of property rather than money purchase;
 - Potential funds through State Parks; and
 - Potential discussions with owners to determine if they know of any other funding streams.
- Direction provided to staff not to move further on this property but should someone else purchase the property may reassess the matter if they are willing to sell a small parcel (2 acres or so).

Summary of Additional Presentation:

- Second opportunity is Butteville Landing, which is the old ferry landing:
 - This would be a non-motorized boat access with a dock down on the river for paddle boards, kayaks and canoes.
- Advantages:
 - This is Marion County property;
 - The area has been cleaned out;

- There is an asphalt entrance which then turns to dirt; and
- Part of the cement landing from the ferry is still there and may be usable.
- Looking at grants to pay for the improvements but need approval from the Board to seek out additional funding to proceed;
- Have been working on this area and trying to get State Parks interested:
 - There is a recent facility in Champoeg and hoped to tie them together;
 - Butteville Store is owned by State Parks and served by volunteers in the summer; and
 - This could be a nice loop for recreation.
- Champoeg Park would participate in the management and maintenance of this project as will the volunteers;
- The Friends of French Prairie have volunteered to be a part of this project;
- This is a popular project for the people in the area; and
- There are grant opportunities next year for trail improvement and enhancements to the area.

Summary of Discussion:

- Discussed proceeding with this project but clarified that do not want to spend money on any of the structure in the water or anything that would require additional tending such as putting out and taking in seasonally;
- Clarification that a gravel beach where you could pull up your kayak and go to the store would be fine but anything more than that not really interested;
- Confirmed that the county doesn't have many parks in the northern part of the county so this would be a nice addition; and
- Confirmed that the Board is supportive of moving forward with this project but don't want to be responsible for the asset; thus, so long as volunteers and others involved an responsible this is supported.

Review Proposed Updated Marion County Parks Ordinance and Order for North Fork Area

Summary of Presentation:

- Update on the North Fork Area changes:
 - Proposing ordinance changes to add the ability to charge fees in parks and also to ban glass beverage containers and delegate to Public Works Director the ability to create and designate parking and no parking areas and establish a parking fee along North Fork Road; and
 - Order that sets parking fee at North Fork Park, Salmon Falls Park and Bear Creek Park.
- Ordinance change includes amendment to Chapter 1205, Section 2 which adds park fees and bans glass beverage containers.

Summary of Discussion:

- Discussed the penalties for failure to comply.
- Discussion and clarification of the plan for paying for parking including:
 - Kiosk at the entrance to North Fork Road;
 - Will have an envelope with tear off portion;
 - People can put money in envelope, drop in box and put tear off portion in their cars;
 - Will be an amnesty period while getting word out to users;
 - There is already a kiosk at Bear Creek. Just have to set one up at North Fork and Salmon Falls; and
 - Bear Creek has a day use area and will now charge \$5.00 for the day use; and
 - There is currently a \$5.00 fee in the camping area for an extra car at your site.

Discuss Floodplains and Endangered Species Act Compliance

Summary of Presentation:

- The Endangered Species Act has come into play in jurisdictions in Oregon:
 - Summary outline of process/timeline:
 - In Notice Period which began about 1.5 weeks ago.

- FEMA put County on notice that changes are coming to floodplain program; and
- Existing permits grandfathered in if all permitting obtained by September 15, 2016 and all work completed by March 15, 2017.
- Next Step: Potential adoption of interim measures while FEMA is completing mapping;
- It appears that generally floodplains will be bigger and cover more area and the base flood elevation will be higher;
- Interim measures could include:
 - Prohibit most development in floodway and 170 feet from streams;
 - Require mitigation for projects; and
 - Tracking/reporting of the development and mitigation performed.
- Next Step: After mapping completed by FEMA county will need to adopt permanent measures/regulations for regulating the floodplain.
- Note: Property owners will have significant reporting requirements about projects in floodplains which will be submitted to FEMA and FEMA submits to NOAA.
- If county fails to comply, FEMA may begin enforcement/fines.

Summary of Discussion:

- Discussed the four property owners with outstanding permits:
 - At staff's request Board approved sending these owners an information letter noting that based on current information the owners were "grandfathered" in until the final date and that the county will aid them in getting their permits completed by the final date;
 - Confirmed that staff could meet personally with these four property owners to discuss the timelines and next step; and
 - Confirmed that the letters will be revised to make it clear that the new requirements are driven by Federal law rather than county.
- Discussion regarding county liability should extensions be granted when not allowed by Federal law:
 - It was confirmed that the county would have no liability but the property owners would have some liability issues.
- Discussion regarding process for new permits:
 - Confirmed that staff would create an informational page for property owners which the currently known information and note that it is only valid until September 2016 as there may be significant changes after that date which may include mitigation; and
 - Clarified that county would discourage permits for fill in the floodplains or development in floodways until a better set of standards is received from federal government. In the meantime staff is to provide the Board with interim measures for review.
- Staff to proceed as suggested with pertinent changes to the letters as requested.

Discuss Initiative Petition 28

Summary of Presentation:

- SEDCOR Executive Council Meeting last week:
 - IP 28 was on the agenda and SEDCOR opposes IP 28;
 - Instead of being taxed at the retail level IP 28 taxes at the producer level;
 - Businesses may move out of state to avoid the tax;
 - Additional collection processes with significant costs to monitor and collect could come into play; and
 - No money for the county and constituents of the county but would discourage new businesses in the state and county because of this tax.

Summary of Discussion:

- Discussion of the issue and determined that the next step would include:
 - Letter of support to SEDCOR in opposition of IP 28; and
 - Jolene to prepare a draft letter for review and revision by the Commissioners.

COMMISSIONERS' COMMITTEE ASSIGNMENTS and UPDATE

Commissioner Kevin Cameron

- United Way Board Meeting last week:
 - Budgeted close to \$200,000 negative for the year;
 - Revenues are not being received as expected;
 - Will utilize at least half of the current reserves which are at \$700,000; and
 - Met with Executive Director to discuss the needs of rural Marion County.
- Commissioner Brentano did a great job at the North Santiam Awards Ceremony.
- InCite.
- Rural Living Basics Class in Stayton:
 - Septic systems and well water;
 - Do not use RidX according to the experts;
 - Human bacteria is best for the septic systems;
 - Don't use granular detergents because they have a clay basis;
 - Don't dump a lot of stuff down the garbage disposal;
 - Don't do all your laundry in one day; and
 - Don't scale fish into the septic system as they plug the system.
- Detroit Lake Community Center meeting with Community Services.
- Lunch on Saturday with the owners of Hobby Lobby.

Commissioner Sam Brentano

- Trust Land meeting a few weeks ago had some fallout, including allegations of failure to comply with public meeting notice laws which seem unfounded.
- Discussion with administrators from Santiam Hospital regarding the Mid-Valley Behavioral Care Network:
 - Wanted less business and more community concern; and
 - Will meet with them further.

Adjourned at 10:40 a.m.

COMPLETED BY: **Kenna West**

Reviewed by: Sarra Sparks