



OREGON

MARION COUNTY BOARD OF COMMISSIONERS

# Management Update Minutes

**Monday, May 7, 2018, 9:00 a.m.**

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

## ATTENDANCE:

Commissioners Janet Carlson, Kevin Cameron, and Sam Brentano, Jan Fritz, Jason Myers, Jane Vetto, Alan Haley, Jeff White, Cindy Schmitt, Joe Fennimore, Warren Jackson, Danielle Gonzalez, Kyle Wonderly, Andy Schmidt, Laura Pekarek, Sheila Lorange, Hitesh Parekh, Ashley Marshall, Lisa Trauernicht, Barb Young, Jolene Kelley, and Kristy Witherell as Recorder.

## GUESTS:

Warren Bednarz, business owner  
Mike Rodia, Oregon State Beekeepers Association

Jan Fritz called the meeting to order at 9:00 a.m.

## INFORMATIONAL:

### **Discuss Improvement Requirements on Lancaster Drive**

- Alan Haley, Cindy Schmitt, Warren Jackson

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

- Mr. Bednarz owns a building on Lancaster Drive;
- A tenant wants to put in an ice cream parlor:
  - Went in for a building permit and was told that a sidewalk and driveway needed to be repaired because it is not ADA compliant.
- The impact on the cost for repair does not warrant the improvements at this point in time:
  - Far exceeds the repairs of the building.
- Mr. Bednarz recognizes that the improvements need to be done, but does not have the money to make the repairs;
- The property is being proposed as a change of use;
- The retail shop will bring in more clients:
  - Increased pedestrian traffic.
- The county is requiring the upgrade to the driveway and sidewalks, it is not a building code issue;
- Redevelopment of the parcel and adding a new business triggers the upgrade and a site plan review;
- County ordinance requires the property owner to be responsible for curb, sidewalk, and driveways;

- Public Works does not want to set a precedence allowing for conditions on permits, based on when repairs need to be made for sidewalk and driveways:
  - Public Works has no jurisdiction making sure the improvements are completed.

***Board discussion:***

- The commissioners directed Public Works to work with Mr. Bednarz on issuing the permit and giving him 12 months for the sidewalk and driveway improvements to be completed.

**MOTION:** Commissioner Brentano moved to discuss the Improvement Requirements on Lancaster Drive to Action. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

**Discuss Beekeeping in Residential Zones**

- Joe Fennimore, Laura Pekarek

***Summary of presentation:***

- Code Enforcement contacted a home in Residential Acreage zone about beekeeping on the property:
  - Not a permitted use in the zone.
- Code Enforcement sent a letter to the property owner on April 8<sup>th</sup>:
  - Needs to be in compliance by May 21<sup>st</sup>.
- Oregon State Beekeeping Association contacted the planning office to discuss a process on how to change the zone to allow residential beekeeping:
  - Followed up with a letter to the commissioners that referenced House Bill 2356 and 2653:
    - Indicating that several cities, including Salem, permit beekeeping in residential zones;
    - The bill required OSU Extension Service to establish best management practices for beekeeping in residential zones; and
    - Enables governments to adopt the standards of they choose to do so.
- Salem didn't amend their code:
  - Considered it a personal hobby; and
  - No permits or allowances for it.
- Three separate complaints on a property on Goldenrod Avenue, in Jan Rae area:
  - A swarm off of the property;
  - Bee stings; and
  - Water feature on other property was bees were swarming.
- Marion County will have to change the zone code in order for beekeeping to be permitted.

***Board discussion:***

- The commissioners are interested in the hobby side of beekeeping in Marion County;
- There needs to be parameters around the code; and

- The commissioners are for backyard beekeeping, but there does need to be code enforcement if issues arise.

## **Regional Infrastructure Fund-Detroit Lake Area Marinas Excavation Project Update**

- Danielle Gonzalez

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

- Scheduled for a work session at the end of June for economic development;
- Able to send out a grant application for the regional infrastructure fund:
  - Fund was created by the legislature through Business Oregon; and
  - Regional Solutions encouraged Marion County to apply for the grant in behalf of Detroit Lake Marinas.
- The amount applied for was more than anticipated:
  - Marion County would not be the financial beneficiaries, the marinas would be; and
  - Total grant amount is \$950,000.
- Wanting to excavate Detroit Lake Marina:
  - Kane's Marina; and
  - Excavating at low lake times.
- Application will go back through the legislature and won't have a decision until winter 2019;
- James LaBar is advocating for the grant; and
- If the grant is awarded, the construction will be fall of 2019 at the earliest.

## **Detroit Dam Temperature Control Towers and Fish Passage Project Update**

- Commissioner Brentano, Barb Young

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

- Army Corps of Engineers is locked into one type of construction, which is a mixing tower;
- Moved their deadline to 2022 for potential build;
- Still conducting the socioeconomic and impact studies;
- City of Salem gave their concern regarding waster for Salem citizens;
- The Army Corps of Engineers will not consider other building options; and
- Left the meeting feeling like the Corps was locked into only one build option, and they're unwilling to look at other options.

### ***Board discussion:***

- The Army Corps of Engineers are five options of the same build design;
- An alternative needs to include not emptying the lake;
- Not meeting the flows;
- Once the tower is in, the flows will not be negotiated; and
- Commissioner Brentano would like to draft a letter to the Army Corps of Engineers stating that there needs to be alternative options considered that accomplish the same results, does not have huge expense, or empty the reservoir.

## **Secure Rural Schools/Title III Program Funding Uses Confirmation**

- Barb Young, Hitesh Parekh

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

- In 2012, the Government Accounting Office stated that counties can no longer expend Title III dollars for law enforcement patrols on federal forest lands;
- Pushing to add language in the Secure Rural Schools Act;
- Added language for reimbursement for search and rescue and emergency services:
  - Development of community wildfire protection plans.
- The new language added the law enforcement patrols:
  - Training and equipment purchases directly related to search and rescue and emergency services; and
  - Develop and carry out community wildfire protection plans.
- Currently there is \$500,000 in the account;
- The commissioners initiated the funds to be spent on September 27, 2017;
- Two steps to the process:
  - Initiation process:
    - Come back to board session on June 27<sup>th</sup> to amend the initiation.
  - Extend the obligation date to September 30, 2021.
- The board order will include law enforcement needs;
- \$96,000 will come this year; and
- The money will help pay for an extra deputy in the east county.

## **Communications Update**

- Jolene Kelley
- Ms. Kelley gave a brief update of events happening in the community that the commissioners will be attending.

## **Discuss Foreclosure of a Property in Mehama**

- Jeff White, Laura Pekarek, and Kyle Wonderly

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

- Finance received a call regarding a property concerning illegal activity;
- Code Enforcement, Risk, and Finance went to look at the property;
- There is a tenant living in the house with a pet sheep;
- There are two people that live in a trailer behind the house, and the tenant's son lives in a camper at the front of the house;
- No children live on the property;
- The son placed nails pointing upwards on the fence;
- The tenants are squatters;
- Finance gave the tenants two weeks to vacate the property;
- The property is not able to go to auction in its current state;
- There is a raw sewage issue;
- Health Hazard:
  - Septic failure that has been going on over multiple hears; and
  - Dumping RV sewage on the ground.

- Will have ServPro go in after the tenant vacates to determine if the house is salvageable;
- The Tax Title Fund will cover the cleanup cost:
  - Upwards of \$50,000 - \$100,000 to clean the property.

ACTION:

**Consider approval of Improvement Requirements on Lancaster Drive**

- Alan Haley, Cindy Schmitt, and Warren Jackson

**MOTION:** Commissioner Brentano moved to direct Legal Counsel to prepare an agreement between Feitelson Urban Uprising, LLC and Public Works for the repair of the driveway and sidewalk apron on the property within 12 months and be civilly enforceable. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

OTHER:

COMMISSIONERS' COMMITTEE ASSIGNMENTS AND UPDATE

Sam Brentano:

- Attended Oregon City Locks Meeting;
- Attended First Northwest Senior Disability Services meeting with Co-chair Tanya DeHart; and
- Multnomah County pulled out of O&C Counties two months ago regarding the Siskiyou Monument lawsuit.

Kevin Cameron:

- Attended Gervais City Council;
- Touring Salem Airport;
- Attended Oregon Correction Enterprises Meeting; and
- Attended ground breaking ceremony in Woodburn for Salem Health.

Janet Carlson:

- Received an email from Patrice Altenhofen regarding a letter of support for Family Building Blocks for a relief nursery in Woodburn:
  - Lisa Trauernicht will draft a letter of support for the commissioners to sign.

Meeting dismissed at 10:35 a.m.

COMPLETED BY: **Kristy Witherell**

*Reviewed by: Sherry Lintner*