

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, April 18, 2018
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97305

PRESENT: Commissioner Janet Carlson, Commissioner Kevin Cameron, and Commissioner Sam Brentano. Also present were Jane Vetto as county counsel, John Lattimer as chief administrative officer, and Kristy Witherell as recorder.

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

PUBLIC COMMENT

None.

PRESENTATION

(Video Time 00:01:19)

Annual Volunteer Report and Awards Ceremony. – Lisa Miller

Summary of presentation:

- Lisa Miller presented the highlights of the 2017 Volunteer Annual Report.

MOTION: Commissioner Cameron moved to remove the first item under the Board of Commissioners, consider approval of a proclamation designating April 2018 as County Government Month in Marion County. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

CONSENT

(Video Time 00:45:40)

BUSINESS SERVICES

Approve Amendment #2 to the lease agreement with Pioneer Trust Bank to extend the lease at 3867 Wolverine Drive NE, Salem until September 30, 2018 with the base rent being fixed at \$11,079.18 per month beginning July 1, 2018.

PUBLIC WORKS

Approve the Intergovernmental Agreements for the 2018 Emulsified Asphalt Slurry Seal Surfacing Project in the amount of \$472,000 through December 31, 2018.

- City of Salem \$180,000

- City of Silverton \$110,000
- City of Stayton \$45,000
- City of Turner \$10,000

Schedule the final consideration to adopt an administrative ordinance granting Zone Change/Comprehensive Plan Amendment (ZC/CP) Case #17-003/R&K Properties, LLC, Clerks file #5739 for April 25, 2018.

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

ACTION

(Video Time 00:47:49)

BUSINESS SERVICES

2. Consider approval of Amendment #2 to the lease agreement with Nub Hub, LLC to add 28,162 square feet and base rent with tenant improvements of the Health & Human Services Alcohol and Drug Program located at 2045 Silverton Rd NE, Salem and increase the monthly lease amount to \$91,158 for a total 45,844 square feet. – Larry Tilford, Ryan Matthews

Summary of presentation:

- This is Phase II of the occupancy at the Silverton Road lease site;
- The offices formerly at Davcor Road have moved into the north end of the facility;
- Long term vision of the property is to make it a one stop shop for adult services;
- The initial first phase was to relocate the addiction services;
- The second phase includes relocating the adult behavioral services, as well as the adult wrap around services; and
- This will be beneficial for staff that treats the individuals.

Board discussion:

- Would like to pare down sites and align like services; and
- This now fills up the building at capacity.

MOTION: Commissioner Brentano moved for approval of Amendment #2 to the lease agreement with Nub Hub, LLC to add 28,162 square feet and base rent with tenant improvements of the Health & Human Services Alcohol and Drug Program located at 2045 Silverton Rd NE, Salem and increase the monthly lease amount to \$91,158 for a total 45,844 square feet. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Tim 00:53:26)

PUBLIC WORKS

3. Consider approval of a resolution authorizing acquisition and eminent domain of certain real properties for the Lancaster Drive/Macleay Road traffic signal upgrade project. – Brian Nicholas

Summary of presentation:

- Ongoing federal aid project under the certification program;
- The funding is managed by the Oregon Department of Transportation (ODOT);
- The location of the project is at the corner of Lancaster Drive and Macleay Road;
- This is a signal replacement project;
- As part of the project, Macleay Road will be widened to accommodate turn lanes and bike lanes;
- Because this is a federal aid project, Marion County is obliged to improve all of the pedestrian facilities to add ADA compliance ramps;
- There is an existing resolution of condemnation on this project that the board approved last year;
- ODOT requires local agencies to obtain a resolution of condemnation early in the process to make sure it is a tool in the toolbox:
 - It covers four properties for temporary construction easements;
 - Asking for a small permanent use easement on two properties to allow the building of ADA ramps;
 - Three of the four right-of-way files have been closed;
 - The appraisal process has been completed;
 - Written offers have been extended to each of the property owners;
 - The property owners have 40 days to consider the offer;
 - The owner of the property where the gas station sits was not responsive within the 40 days:
 - At the start of the project, the property owner received a written offer:
 - Received a follow-up letter after the 40-day mark;
 - The owner still hasn't responded; and
 - Public Works brought on a right-of-way consultant that has followed up with three or four emails.
 - The property owner responded after Mr. Nicholas submitted the letter of condemnation to the board:
 - The owner expressed concerns:
 - Want to make sure they understand how business traffic will enter their site during construction;
 - Make sure bulk fuel delivery will be accommodated; and
 - The property owner will provide Mr. Nicholas with a map showing delivery of bulk fuel.
 - The business has a large commercial sign:
 - Moving the traffic signal post north so there isn't a conflict with the footing of the business commercial sign foundation.
- The staff recommends to adopt the resolution; and
- As long as the property owner remains responsive, Public Works will continue to work with them.

Board discussion:

- The commissioners are unwilling to agree to a resolution to condemn something when negotiations are still in process;
- There are not any consequences if the commissioners decide not to approve the resolution today;
- ODOT wants to avoid getting into a position where they're unwilling to condemn;
- Federal dollars have been expended on the project and if the project isn't fully constructed, the county is responsible to pay the funds back;
- The easements need to be filed before August 15, 2018 in order to collect the federal dollars;
- The commissioners are not unwilling to do a condemnation if the negotiations reach an impasse;
- ODOT doesn't authorize a right-of-way process to proceed unless a condemnation resolution is on file; and
- It is the commissioners desire to come to an amicable agreement with the property owner.

MOTION: Commissioner Cameron moved to table the agenda item and bring it forward at the May 16, 2018 Board Session for consideration. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

PUBLIC HEARINGS

9:30 A.M.

(Video Time 00:01:08:30)

PUBLIC WORKS

A. Public hearing to consider the application of Mass Gathering Case #18-001/Paintball, Inc. – Brandon Reich

Summary of presentation:

- Paintball event for a small mass gathering permit on Exclusive Farm Use Zone land, located at 20794 French Prairie Road NE, St. Paul;
- The property being used will be located on both sides of French Prairie Road in the 20,000 block, approximately 5,000 feet north of the intersection of St. Paul Highway;
- Surrounding properties are zoned for farming;
- Sound amplification will be used for public address announcements:
 - No alcohol will be available; and
 - No fireworks will be used or shown.
- The mass gathering ordinance requires the applicant to coordinate with various government agencies to assure there are adequate facilities and services available for the event:
 - Marion County Public Works;
 - Sheriff's Office;
 - Department of Environmental Health;
 - Risk Management;
 - Local fire district, which is St. Paul; and

- All Marion County departments and St. Paul Fire District approved the application.
- Last year, the board amended county code to allow a small mass gathering to be able to be renewed for up to four years after the initial hearing and approval;
- The applicant has requested approval for the annual small mass gathering;
 - If approved, the years for which the event may be renewed annually are; 2019, 2020, 2021, and 2022.
- This is the county's first time applying the new process; and
- Staff recommends the board approve the request subject to the recommended conditions of approval provided.

Derek Stryker:

- Works for Paintball Inc.; and
- Event coordinator for Supergame.

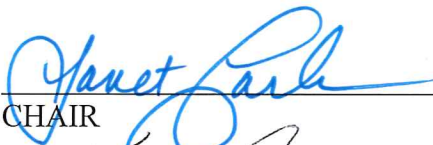

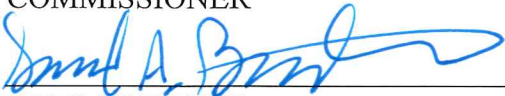
Board discussion:

- This has been an ongoing event with no complaints received;
- The event does not prohibit people from bringing alcohol;
- Three food vendors will be available:
 - Health and Human Services, Environmental Services will conduct an inspection.
- The commissioner appreciates Mr. Stryker going through the correct process getting the permits together for the event.

MOTION: Commissioner Brentano moved to close the public hearing and approve the application of Mass Gathering Case #18-001/Paintball, Inc. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

Commissioner Carlson read the calendar.

Commissioner Carlson adjourned the meeting at 10:27 a.m.


 CHAIR

 COMMISSIONER

 COMMISSIONER

Board Sessions can be viewed on-line at <http://www.youtube.com/watch?v=VYF8Y6U7178>.

