

**Report on issues discussed at the weekly  
Management Update meeting on June 29, 2009**

Commissioners present: Commissioner Milne, Commissioner Carlson and Commissioner Brentano

INFORMATIONAL

Request for issuance of enforcement order

Sterling Anderson, planning manager, reported to the board that Santiam Water Control District has requested that the DLCD issue two enforcement orders. The first order would direct the City of Stayton to enter into a cooperative agreement with the district regarding the use of the district's ditch facilities for stormwater drainage. The second order would direct Marion County to exercise its responsibility to coordinate planning activities affecting land use in the area between the City of Stayton and the City of Salem. In addition, there is a current Land Use Board of Appeals case underway involving the water control district and the City of Stayton regarding this matter. Under the LUBA process, both parties have agreed to participate in mediation. Sterling said this is an on-going issue between the city and the water control district. He said it was unlikely that DLCD would take any action prior to the conclusion of the mediation process. Sterling said Marion County has been approved to participate in the mediation. He said other options include doing nothing at this point or legally intervening on the side of the city or the water control district. Commissioner Milne said she would prefer participating in the mediation process and not taking sides at this point. Commissioner Brentano said his preference would be to intervene on the side of the city. He was concerned that if the district is successful in gaining fees from the city then they will look to the county for fees as well. Commissioner Carlson asked for clarification regarding the LUBA process versus the DLCD process. Sterling and Jo Stonecipher, legal counsel, provided additional information regarding each process and the county's role. Jo explained that since the city did not provide the county with notice regarding their comprehensive plan amendment and therefore did not receive the required concurrence, it was unclear whether the county would be able to intervene in the LUBA process. Sterling explained that the county had provided some technical input early in the city's process however, as Jo explained, the county did not receive notice prior to adoption by the city. Jo also explained that what the water district was requesting regarding coordination is much larger in scope than normally included in coordination. The board agreed that county staff may participate in the mediation process. As the opportunity becomes available the board will provide a letter stating the county's position. Commissioner Brentano and Barb Young, senior policy advisor, will work on the putting a letter together.

ACTION

Request to waive floodplain development permit fees for watershed restoration projects

Sterling Anderson discussed a request by the North Santiam Watershed Council for a waiver of permit fees for two projects scheduled for this summer.

Sterling said the board first received request on June 1. At that time the board delayed action until more information was available regarding the council's budget. He explained that the district hoped to put the dollars that would normally go to permits directly into the project. Liz Redon, coordinator for the council, provided additional information. She said that one project has been delayed and the new request is for the waiver of permit fees for one project for a total \$940. She explained that the council operates with a very low overhead and that the fee waiver helps provide funds for follow-up plantings on banks. The commissioners voted to waive the floodplain permit fee of \$940 for the North Santiam Watershed Council. The motion was approved unanimously.

#### Marion County Sheriff's Office community corrections biennial plan

Jeff Wood, Sheriff's Office, presented a copy of the community corrections biennial plan for approval by the board. The plan was discussed at the June 23, 2009, Community Corrections Board (CCB) meeting. The commissioners voted to approve the community corrections biennial plan. The motion passed unanimously.

#### OTHER

Barb Young reported that HB2940 had passed the Oregon Senate. This bill provides a green designation or renewable portfolio standards for pre-1995 waste to energy facilities. Barb was hopeful that the bill would pass the House on Monday.

#### COMMISSIONERS' UPDATE

Commissioner Carlson gave an update on the third leg of the Oregon 150 relay, which occurred on Saturday, June 27. The relay started in Jefferson, traveled through Salem and Keizer and ended at the San Salvador Landing near St. Paul. The fourth leg will take place on Saturday, July 4. It begins in St. Paul and will conclude in Woodburn.

#### WORK SESSIONS AND OTHER MEETINGS

- 6/29 Senator Merkley Town Hall Meeting, 6:30-8:00
- 6/30 Work Session – Waste to Energy Facility, 9:00-10:30  
Work Session – Driveway Permits, 1:30-2:30
- 7/1 Board Session, 9:00-1:00  
Woodburn/County Meeting, 12:00-1:00
- 7/2 Department Head/Elected Officials Meeting, 9:30-11:30
- 7/3 County offices closed for July 4<sup>th</sup> holiday
- 7/6 Commissioners' calendar review, 8:30-9:00  
Management Update, 9:00-10:00  
Work Session – DA Investigators, 10:00-11:30  
Planning Commission Applicants – 2:30-4:00  
Solid Waste Management Plan Meeting, 6:30-7:00

This all-county e-mail is authorized by Jan Fritz, deputy county administrative officer.