

Report on issues discussed at the weekly Management Update meeting on Feb 22, 2010

Commissioners Present: Commissioner Brentano and Commissioner Milne

INFORMATIONAL

1. UPDATE ON SYSTEM DEVELOPMENT CHARGES (SDC) PROGRAM

Marion County Public Works Director Bill Worcester said that the System Development Charges, (SDC's), deferral program will sunset within a few days- unless the Commissioners want to extend it. The program had been in place for approximately 6 months now and no one yet has taken advantage of it. Bill said that this was probably because Marion County's SDC's are fairly low compared to other cities, and that the buildings being constructed in the unincorporated areas of Marion County are typically not "spec" homes where deferrals are more likely to be used.

Warren Jackson from the Marion County Buildings Inspection Division said that building permits from Marion County show a 70% increase or 15 to 20 a month compared to a low of 5 this same time last year.

Commissioner Brentano suggested that the county may want to consider continuing to defer the SDC's for a year as this was a time when construction should be encouraged as a way of stimulating the economy. Commissioner Milne agreed.

Bill said that if the SDC's were an obstacle to applicants, they would have made a request for deferrals, and this had not been the case.

Commissioner Carlson requested additional data on the SDC charges and also asked that Bill check with Mike Erdman of the Home Builders Association of Marion & Polk Counties on his thoughts about continuing to defer the fees for a time.

Commissioner Brentano said that he would like to discuss all the SDC fees that Marion County charges at a future work session with the Public Works Department.

2. BACKYARD BURN PERMIT UPDATE

Tami Amala, Management Analyst from the Public Works Department provided a one year update on the Backyard Burn Permits. The County regulated and controlled specific types of open burning on property located within the Salem/Keizer Urban Growth Boundary in December 2008.

To date the Planning Division has issued 16 burn permits and one renewal, and received \$665 in permit fees. This amount has covered the costs of the program. After some initial coordination difficulties with the fire department, everything is now going well. Commissioner Carlson asked if the public understood what the backyard burn permit requirements were. Tami responded that the Planning Division sends out educational brochures and has also placed advertisements in the paper about backyard burn permits.

Commissioner Carlson requested a copy of the educational brochure.

3. ENFORCEMENT CASE ON ANKENY HILL ROAD

Public Works Director Bill Worcester said that an owner of property on Ankeny Hill Road was given a conditional use permit to operate a home occupation repairing vehicles. During the first few months a neighbor filed complaints regarding a variety of violations of the conditions of approval or other alleged violations. The applicant quickly corrected the violations once the county informed him of them.

The neighbor has continued to file complaints and contacts staff to raise questions about why the Public Works Department is not revoking the conditional use permit. The complainant has met with Bill Worcester. Bill said that since there is no validity to these complaints he is getting ready to send out a memo to the neighbor saying that the county will not continue to review the complaints unless the grievance is warranted and substantiated.

Commissioner Milne said that the draft letter needed to be reworded before it was sent out. Bill said that he will work with Legal Counsel to rewrite the letter before sending it out.

4. TAX LOT R 326411

Caron Galvin Price, Finance Department Property Specialist asked for direction from the Commissioners concerning the dedication of a piece of property that has been tax foreclosed in Hubbard- Tax Lot R326411. Public Works has a need to keep some of the property for future realignment and is requesting that a portion of the property be dedicated for right of way purposes, then the Public Works department will not have to purchase this land from any future property owners. The Assessor's Office has recommended a value of \$915 for this portion of the property that they would like to have dedicated to the county.

Legal Counsel confirmed that the statutes do allow Marion County to retain properties without paying for them since the county incurred an expense doing the foreclosure. However since the county has not had a recent case where it has donated the private right of way to itself – Legal Counsel wanted to bring this item to the Board. The property will be auctioned off in April 2010. Commissioner Milne said that the county ended up with this property through a foreclosure and the proper thing to do was to pay for the right of way.

However, the county has had substantial costs to foreclose on the property which offsets a needed charge to Public Works.

See next page

5. LAND SALE CONTRACTS

Property Specialist Caron Galvin-Price presented information on Marion County Land Sale Contracts with various property owners. These contracts are with either previous property owners or auction/sealed bid sales.

The county currently has 9 contracts still in repayment and of those, 4 are delinquent in their payments. Letters were sent out to the contract holders who have not responded. Staff is recommending that letters be sent to contract holders informing them that their contracts are delinquent and that the county intends to declare a breach of contract if full payment is not made within the 20 days required.

Commissioner Milne requested that the drafted letters be rewritten to be clear, concise, and easy to comprehend. The appeals process should also be explained in detail. Commissioner Carlson recommended that a Fact Sheet also be attached along with resource referrals to other housing/shelter facilities. Sara McDonald could come up with these resources. Property Specialist Caron Galvin-Price was directed to prepare the letters with Legal Counsel's assistance and then to send them out both certified and ordinary mailed.

6. SALE OF TAX FORECLOSED PROPERTY, TAX LOT R329666

Property Specialist Caron Galvin-Price asked for direction from the Commissioners to see if they would like to sell Tax Lot R 329666 located at 4860 Lisa St. NE Salem back to the prior owner. This property was deeded to Marion County in October 2009 through the tax foreclosure process. The property is a residential lot in a subdivision in NE Salem.

The property has a Real Market Value of approximately \$60,000 and the owner did make a payment in November 2007. The Assessor has not yet gone out to reassess the value. If the county commissioners decide that they want to keep the property, it will be auctioned off in April. Commissioner Milne said that if selling the property back to the previous owner assists him with restarting his business, she was not opposed to selling it back to him.

The Commissioners agreed to allow the owner to buy back the lot in accordance with ORS 275.180. Caron should talk to the owner to see if he intends to pay the full amount or if he wants to enter into a contract.

7. PUBLIC SAFETY INTEROPERABILITY COMMUNICATIONS GRANT MATCH REQUEST

Marion County Emergency Operations Program Manager John Vanderzanden said that about 1 year ago the Commissioners approved the acceptance of a \$1million communications grant to build a six (6) site microwave system to support the 911 emergency centers. There was a \$250,000 match requirement in order to get the grant. The county wrote and is also administering and implementing the grant. The three 911 centers in Marion County agreed that in the worst case they would each pay \$83,333 to

fulfill the match requirement. Mr. Vanderzanden said that a promise was made that the county would find as many sources of match as possible to off-set funding and reducing the 911 Center's obligation. To date, with the help of resources from the Oregon Wireless Interoperability Network group (OWIN), and some in-kind match resources from the Santiam Canyon 911 Center, they have been able to cover as much as 95% of the total match requirements.

Since the county wants to be a good partner and there is some benefit to the county to have these 911 emergency centers constructed, John Vanderzanden offered \$2,500 in labor and materials from the Roads budget to assist the centers. After some questions the Commissioners requested that since this \$2,500 was not budgeted for the purpose that Mr. Vanderzanden is requesting, that he provide more financial details about where in the roads budget the \$2,500 will come from and what the department will be giving up if they make a decision to use \$2,500 funds for the 911 centers project. Mr. Vanderzanden said that he will provide clarification to the Commissioners on the proposal to use the Public Works Department labor/equipment/ time as part of the in-kind match at the next Management Update meeting.

8. DISASTER MULTI-AGENCY COORDINATION GROUPS

Mr. Vanderzandon said that he would like to offer an opportunity for the Commissioners to attend a briefing on March 19, 2010 on the use of a multi-agency coordination group in times of serious disasters. This could be a pandemic illness or a natural disaster. The idea comes out of the national incident management system.

Rod Calkins said that this concept has potential advantages and disadvantages for Marion County. What isn't clear yet is the structure that is being proposed. John Lattimer said that he is worried about what authority Marion County could be giving up under this proposed agreement.

Commissioner Milne said that she would like to see the advantages and disadvantages of this proposed multi-agency coordination and that Marion county should definitely attend the presentation. Commissioner Carlson said that she thought it was good to participate and discuss but resource allocation without representation is another issue.

Commissioner Brentano, Rod Calkins, and John Vanderzanden will attend this meeting in March. John Vanderzanden will also send the Sheriff the letter of invitation.

9. DESIGNATION OF MARION COUNTY AS A RECOVERY ZONE

Finance Director Jeff White said that the *American Recovery and Reinvestment Act* had created some new types of bonds. He summarized the types of bonds available and how Marion County could access these bonds. Each county in Oregon has received an allotment of funds that may be borrowed. Marion County has been allocated \$2.4 million in recovery zone *economic development* bonds, and \$3.6 million of recovery zone *facility* bonds. The county must be designated (by the county Commissioners) as a Recovery Zone in order to access the available debt. This action must be taken, along with the description of the intent to use these funds before March 1, 2010, otherwise the funds will

be reallocated to other counties in Oregon. Taking this action does not legally bind Marion County to issue debt.

Jeff recommended that Marion County designate itself as a recovery zone, then file a notice of intent. The notice just explains how the funds will be used. The county does have a multitude of capital project needs, for example the county Courthouse's HVAC System.

10. FY 2009-10 SECOND SUPPLEMENTAL BUDGET REVIEW

Jerry Wolke, Finance Department, presented an overview of the first supplemental budget of Marion County FY 2009-10 which increases the total Marion County Budget by \$5,035,249 from \$335,761,428 to \$340,796,677.

11. SERA ARCHITECTS, Inc.

Business Services Director Dave Henderson, said that SERA Architects had been identified as the firm chosen to provide architectural and engineering services for the proposed Courthouse Square remediation project.

COMMISSIONERS UPDATE

- Commissioner Brentano said that a constituent had contacted him about a dog issue and that he will be working with Bruce Armstrong to review the Ordinance related to this issue. Bill Worcester asked if he could also be involved in this meeting with Commissioner Brentano and Legal Counsel.
- Commissioner Carlson said that she had attended a recent Parks Commission meeting, and the Commission was unhappy with the Commissioners about a letter that received no response. Commissioner Carlson said that she had explained to them that Advisory Committees usually do not send letters to the Commissioners but meet directly with the Commissioners. So sending a letter was quite unusual. Commissioner Carlson reported that Commissioner Brentano had volunteered to attend future Parks Commissions meetings.
- Commissioners Carlson and Milne thanked Commissioner Brentano for debating the proposed 5-Commissioner Charter at Chemeketa Community College on February 18, 2010.

ADJOURNED

WORK SESSIONS AND OTHER MEETINGS

3/1 Commissioners' calendar review, 8:30-9:00
Management Update, 9:00-11:00
Compensation Board, 4.30-7.30
3/3 Board Session, 9:00-1:00

Woodburn/Marion County meeting, 12:00-1:00
3/4 Salem/Marion County Meeting, 8:00-9:00
Department Head/Elected Officials, 9.30- 11.30
Elected Officials Meeting, 12:00-1:00

This all-county e-mail approved the John Lattimer, chief administrative officer.