

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, November 18, 2009
Marion County Courthouse Square

9:00 a.m. Board Session
Senator Hearing Room

PRESENT: Commissioner Patti Milne and Commissioner Sam Brentano. Also present were Gloria Roy as legal counsel and Kim Hulett as recorder.

ABSENT: Commissioner Carlson and John Lattimer, chief administrative officer.

PRESENTATION

Portland General Electric (PGE) Transmission Line, Cascade Crossing – Wendy Buck, Mike Mikolaitis, Mike Livingston, Bill Tompkins, Brianne Hyder, Tom Stoops.

Mike Mikolaitis, project manager for the Cascade Crossing Transmission Project, introduced Mike Livingston, property services manager, Bill Tompkins, southern region general manager, Brianne Hyder, public policy team, and Tom Stoops, energy facility siting manager from the Oregon Department of Energy.

Mr. Mikolaitis, PGE, said the proposal is for a 200-mile, double-circuit, 500-kV transmission line to bring existing electrical generation from Eastern Oregon and new generation to the Willamette Valley. He said this project is the first, directly addressing the need for cross-the-Cascades transmission capacity and the first transmission project in the Northwest in 20 years. He said the existing transmission capacity is nearing its limits. Renewable energy sources, primarily wind turbines, and coming on line in the east will need additional transmission capacity.

Mr. Mikolaitis said the project includes two new substations, and upgrades and expansion of existing substation including the Bethel substation near Salem. The project will also include the rebuilding of transmission lines in the area. The target date to commence construction is in the spring of 2013 and target date for commercial operation is in the spring of 2015.

Mr. Mikolaitis showed a slide illustrating the geographical routing of the transmission line, which begins at the gas fired Coyote Springs plant and then travels 17 miles to the City of Boardman plant. The Idaho Power Company proposes to build a transmission line from the Boise area to Boardman and they plan to share the line with PGE between Coyote Springs to Boardman. The Coyote Generating Station will connect to the Cascade Crossing Transmission Project. Mr. Mikolaitis described the transmission line traversing an existing PGE right of way to a Bonneville Power Administration (BPA) substation, and then traversing alongside an existing BPA transmission corridor. To build the two lines close together will necessitate meeting reliability standards and if they do not meet those standards the lines will be

approximately 1500 feet apart. The line will then meet the northern border of the Confederated Tribes of Warm Springs Reservation. They will either continue across the reservation following the existing BPA transmission corridor heading southwest through Detroit, Stayton, Mill City to Salem, or follow another BPA transmission corridor through the northwest corner of Warm Springs until it intersects with PGE's existing transmission line near Stayton.

Mr. Mikolaitis pointed out the federally designated West-wide Energy Corridor at the northwest border of Warm Springs Reservation. He said this originated from a federal survey of western states for potential sites for building energy infrastructure and is usable land. Mr. Mikolaitis said there are wind turbine projects in the Arlington and Maupin areas that will connect with the line. He said the important goal of the project is to deliver renewable energy, predominantly wind, and some solar to the Willamette Valley.

Mr. Mikolaitis said PGE sees a possible 45 percent rise in customer demand by 2030. The Oregon Public Utility Commission (OPUC) has directed PGE to investigate additional transmission stemming from the Integrated Resource Plan (IRP). He said the project would enhance reliability from the electrical grid. He mentioned electrical generation projects needing service. He said the project supports compliance with the state's renewable energy standard. Mr. Mikolaitis said electrical transmission quality and adequacy impacts economic development. PGE will listen to local issues in the communities that the lines traverse. They have held eight community open houses. He said costs are important to manage and PGE is working alongside other transmission providers. They expect a three-year permitting process involving federal, state, and tribal.

Mr. Mikolaitis said there have been concerns among farmers about living and working around transmission lines. He said PGE meets or exceeds electrical safety code requirements for the lines. Mr. Mikolaitis explained the compensation process for easements and explained timelines with an accompanying graph.

Commissioner Brentano asked about the feasibility of Highway 22. Mr. Mikolaitis answered that typically they do not build large towers and conductors alongside public highways. Mike Livingston, PGE property services manager, said the right of way is 250-300 feet. It would be difficult finding a corridor of that width along Highway 22. Mr. Mikolaitis reiterated PGE would follow existing transmission corridors as much as possible.

Commissioner Brentano then then asked about the practicality of underground transmission lines. Mr. Mikolaitis said placing a 500 kV line underground could be 8-10 times more expensive as an overhead installation and that for underground installation only short distances are undertaken. Commissioner Brentano asked if the power lines were too close together would PGE consider underground installation. Mr. Mikolaitis replied probably not, due to increases in costs. He said if PGE follows the line from Madras they would likely build alongside the existing line. They perform computer modeling to determine if they lose both lines simultaneously if the electrical grid system could withstand that scenario, and they found that it could in that area. He said there is an open question about building alongside BPA lines in Eastern Oregon and PGE may need to separate the lines.

Commissioner Brentano asked about the Marion County acquisitions. Mr. Livingston responded it would be PGE's responsibility to work with landowners individually. Commissioner Brentano then asked what involvement PGE would want from the Board of Commissioners. Mr. Livingston said participation in the siting process and direction regarding county land use laws.

Tom Stoops, Oregon Department of Energy facilities siting manager, said the commissioners probably noticed that before the meeting he was chatting with Dave Epling, planning director. Mr. Stoops said they were developing an intergovernmental agreement (IGA) to reimburse county staff for their participation in the land use activity. He said there is a large amount of county involvement necessary as they harmonize land use with the state.

Commissioner Milne inquired about environmental interests in light of the demand for increased energy. She presumes much of the work PGE does in preparing for this project is in response to new guidelines and laws. She asked Mr. Mikolaitis to comment. He said PGE wants to add more renewable energy to comply with Oregon law. Most wind potential is in Eastern Oregon, which drives one of the requirements for the transmission line. Mr. Mikolaitis mentioned new reliability standards and said that environmental law plays out in the permitting process. He said energy efficiency and conservation is important, as greater efficiency will compensate for half of the load growth over the next 10 years.

PUBLIC COMMENT

Santana Park (Exhibit A):

Jack Thornton, 5045 Macleay Road SE, Salem, secretary of the East Salem Suburban Neighborhood Association (ESSNA) said they appreciate the support of the commissioners for their neighborhood association. He said their neighborhood has had many problems with graffiti, law enforcement, and drugs. Mr. Thornton said although he signed the public comment Speaker List to comment on Santana Park and as he heard the presentation regarding the PGE Transmission Line, Cascade Crossing, he realized that ESSNA's boundaries stretch to Howell Prairie Road. The Bethel Substation is located in that area and the PGE Transmission Line, Cascade Crossing, is relevant to their neighborhood. Mr. Thornton told the board that ESSNA desires to be included in the community input stage of the process and would like notification.

Jerry Sheetz, 4963 Wagon Wheel Drive SE, Salem, ESSNA director, said he has lived at the Wagon Wheel Drive location for over 30 years. He said the park has many holes in the fences around the baseball and tennis areas that are in need of repair. He said Mary Eyre Elementary School students walk the perimeter of and through the park and attempt to play there, but maintenance of the park is sorely lacking. He said he would like the county's assistance.

Doug Vande Griend, 765 Springdale Court SE, Salem, estate-planning attorney, has lived near Santana Park since 1981 and owns rental property in the neighborhood. He said he has raised four children in his home at Springdale Court. Mr. Vande Griend stated the residents of the area agree the condition of the park has degraded. He said that before July 2008, Santana Park was a very corrosive influence to the neighborhood. Mr. Vande Griend said the county is not maintaining the park and county employees only empty the trashcans when someone calls to

complain. On July 8, 2008, Mr. Vande Griend mowed the park for the first time. He said he has mowed it 15 times since. He has cleaned up trash, repaired and painted the basketball court, restored the horseshoe pit and performed other maintenance chores. He said he communicates with the Marion County Parks Department, but gets frustrated. He said he understands the county's lack of resources. He can predict Marion County will own the park, but will not do the necessary maintenance and it will continue to be a corrosive influence on the neighborhood. Mr. Vande Griend said he has ideas for park enhancement, but the County Parks Department has told him that improvements, such as electricity, will become a drain on county resources.

Mr. Vande Griend said the Marion County Master Plan reads that the county should rid itself of county parks, Santana Park being one of four or five, and give the parks to the city upon annexation. Mr. Vande Griend said annexation was not likely to happen for Santana Park any time soon. He said the proposal for one park outside the urban growth boundary is to give the park to a neighborhood association or other appropriate entity.

Mr. Vande Griend said ESSNA proposes the county agree to send representatives to a serious discussion with them about giving Santana Park to a neighborhood organization or to possibly a new entity [IRS code 501(c)(3)], whose only purpose would be to maintain Santana Park. He said to address concerns of possible neglect, there could be a reversion clause giving the park back to the county. He said the park would probably be in better shape at the time of reversion than when the county gave it away. Mr. Vande Griend said private party organizations with foundations are much more likely to give money to a neighborhood association or a like organization for the improvement of a public space. He said this is much less likely to happen if it remains under county ownership.

Commission Milne said she understands ESSNA is requesting a work session. She applauds the work they are doing and said she would personally like to see the discussion continue, but they would have to put it in the proper format with people relative to the county park system.

Mr. Thornton said he had served on the school board for two terms. He said that oftentimes, new schools have county parks associated with them. He mentioned Four Corners, Mary Eyre and Auburn elementary schools. Mary Eyre is close to Santana Park and he would like a working agreement between the county and ESSNA so they can keep making improvements. He said it is an urban park and county staff behaves as if it was a rural park.

Commissioner Milne remarked she has known them for a long time and appreciates the fact that ESSNA is an active neighborhood association and is exactly what the board desires.

Commissioner Brentano said he is in favor of fully outlining responsibilities for the park.

CONSENT

BOARD OF COMMISSIONERS

OLCC Application – Recommend Approval

Gilgamesh Brewing, Turner

Macleay Village Store, Salem

BUSINESS SERVICES – HUMAN RESOURCES

Approve recommendation to reclassify from Department Specialist 3 to Management Analyst 1, Business Services.

HEALTH

Approve amendment #2 to receive \$438,952 from the Department of Human Services for the 2009-2010 financing of public health services including funds for response to H1N1 programs and to update contract language.

PUBLIC WORKS

Approve a contract with Dennis Maulding Construction for the purchase of rock products through June 30, 2010.

PUBLIC WORKS - PLANNING

Receive hearings officer's decision approving property line adjustment/floodplain/greenway, case #PLA/FP/GW 09-017, Swisher, Clerk's File #5632.

Receive hearings officer's decision dismissing conditional use, case #CU09-027, Sonnen, Clerk's File #5633.

SHERIFF

Approve amendment #3 to the contract with iSECUREtrac, Corp. to provide upgraded electronic monitoring equipment.

Approve amendment #1 to receive \$140,340 from the Department of Corrections for funding the parole and probation programs.

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

ACTION

BUSINESS SERVICES – HUMAN RESOURCES

1. Consider approval of an order amending Marion County's Family Medical Leave policy. – Pat Donenfeld

Pat Donenfeld, human resources supervisor, explained the revisions to Marion County's Family Medical Leave Policy. She said Oregon Family Medical Leave (OFLA) has a new military leave policy due to the state legislature passing the Oregon Family Military Leave Act (OFMLA) of 2009. This action by the legislature enables family members of military personnel who have received notice of impending active military duty 14 days (unpaid) to spend with their family member before and after their deployment.

Ms. Donenfeld added there are some very recent changes on the federal level that expands portions of the Federal Family Medical Leave Act (FMLA). One change is the expansion of the

exigency leave from the National Guard and National Guard Reserve to all active duty families. The other is a caregivers' leave expansion that includes families of recent veterans. Ms. Donenfeld said county human resources are incorporating these changes into the county's family medical leave policy.

MOTION: Commissioner Brentano moved approval of an order amending Marion County's Family Medical Leave policy that complies with state and federal laws. Seconded by Commissioner Milne; motion carried. A voice vote was unanimous.

PUBLIC WORKS – PLANNING

2. Consider approval of an order calling up administrative review, case #AR09-36, City of Woodburn water extension and schedule a public hearing for December 16, 2009. – Brandon Reich

Brandon Reich, planning division, said naturally occurring arsenic is contaminating the water supply of Chateau Ranchettes, a manufactured home subdivision outside the city limits of Woodburn. They have received a notice of violation from the county health department. He said the City of Woodburn has received a grant from the American Recovery and Reinvestment Act (ARRA) for \$2.8 million for connecting the city water supply with three manufactured home subdivisions that have polluted wells. Chateau Ranchettes subdivision is outside the City of Woodburn's urban growth boundary and needs county involvement and approval. Woodburn must get the necessary permits by February to comply with the grant deadline. Mr. Reich said the order before the board calls up #AR09-36 for the board's consideration and schedules a public hearing for December 16, 2009. Staff suggests the board approve the order as drafted.

MOTION: Commissioner Brentano moved approval of an order calling up administrative review, case #AR09-36, City of Woodburn water extension and scheduling a public hearing for December 16, 2009. Seconded by Commissioner Milne; motion carried. A voice vote was unanimous.

PUBLIC HEARING

9:30 a.m.

None.

Commissioner Milne then read the calendar.

Commissioner Milne adjourned the meeting at 10:10 a.m.

Attachments: None.

ABOVE MINUTES APPROVED

CHAIR

COMMISSIONER

COMMISSIONER

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