

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, August 26, 2015
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Janet Carlson, Commissioner Kevin Cameron and Commissioner Sam Brentano. Also present were John Lattimer as chief administrative officer, Gloria Roy as county counsel and Kim Hulett as recorder.

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

PUBLIC COMMENT

None.

CONSENT

(Video Time 00:01:15)

BUSINESS SERVICES – HUMAN RESOURCES

Approve recommendation to adjust salary range upward for Assistant Director of Juvenile Department.

TREASURER

Approve the following resolutions:

- Eliminating the petty cash account in the Assessor's Office Administrative Division;
- Reducing the petty cash account in Legal Counsel from \$50 to \$25; and
- Reducing the petty cash account in the Sheriff's Office Administrative Division from \$200 to \$100.

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

ACTION

(Video Time 00:02:23)

PUBLIC WORKS

1. Consider approval of an order adopting changes to the Solid Waste Management Advisory Council Bylaws. – Jeff Bickford, Bill Brauer

Summary of presentation:

- Board of Commissioners formed the Solid Waste Management Advisory Council (SWMAC) on February 1, 1989;
- Purpose is to make recommendations on matters related to waste reduction, reuse, recycling, composting, and disposal of waste; and
- Current council consists of 16 members:
 - Eight laypersons;
 - Four industry representatives covering the disposal, collection, compost and recycling industries;
 - Four other representative positions which include Chamber of Commerce, housing industry, public health, and a community organization.
- SWMAC is governed by a set of bylaws:
 - Bylaws have not changed since 2005.
- Marion County policy requires that the Board of Commissioners approve any changes to the bylaws of the council.
- Proposed edits to the bylaws would change who is eligible to be nominated and serve in either the Chair or Vice-chair position on the council:
 - Currently, only members serving in layperson positions may serve in these positions; and
 - Recommendation to allow three business/industry representatives (Chamber of Commerce, Housing/Construction, and Public Health/Medical), as well as the Community Organization representative, to also be eligible to serve as Chair and Vice-chair.
- SWMAC meeting held on June 23, 2015, the council approved the proposed changes to the bylaws and made motion to have the board review and approve edits to the SWMAC bylaws.

MOTION: Commissioner Brentano moved approval of an order adopting changes to the Solid Waste Management Advisory Council Bylaws. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

2. Consider approval of a resolution initiating amendments to the Marion County Code, Title 16 Urban Zone Code, and schedule public hearing for September 23, 2015. – Joe Fennimore

Summary of presentation:

- On August 12, 2015, the board adopted ordinance 1357 which allows and regulates the keeping of chickens in single-family residential and urban development zones inside urban growth boundaries; and
- The Urban Zone Code does not allow poultry in residential zones.
- Zone code amendment is needed in order to reconcile with ordinance 1357;
- Changes would be effective November 10, 2015; and

- Public hearing to be scheduled September 23, 2015.

MOTION: Commissioner Cameron moved approval of a resolution initiating amendments to the Marion County Code, Title 16 Urban Zone Code, and scheduled a public hearing for September 23, 2015. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

Commissioner Carlson read the weekly calendar.
 Commissioner Carlson recessed the meeting at 9:20 a.m.
 Commissioner Carlson reconvened the meeting at 9:30 a.m.

PUBLIC HEARINGS 9:30 A.M.

(Video Time 00:17:22)

PUBLIC WORKS

A. Public hearing to consider appeal of administrative review, case #AR15-003, SAD, LLC. Clerk's File #5695. – Joe Fennimore

Summary of presentation:

- Application to place a lot of record dwelling on a 9.67 acre parcel in the Farm Timber (FT) zone in 19700 block of DeSantis Lane SE, Silverton:
 - Hearings officer issued a decision on May 18, 2015, to deny AR15-003, SAD, LLC.
 - Decision was appealed on June 2, 2015, to the Board of Commissioners.
 - On June 24, 2015, the board accepted the appeal and on July 8, 2015, the board scheduled a public hearing on the matter for August 26, 2015.
- Status of LLC in question in addition to signature authority;
- Big game habitat regulations involved; and
- Additional evidence submitted for appeal hearing.

Board discussion:

- Planning worked with Legal Counsel to review the additional information, and it would satisfy the hearings officer;
- Big Game Habitat study provided and reviewed by planning department:
 - Can be used to make a finding.

Testimony:

Support:

- Counselor Eric Wareham said more information had to be provided;
- Issues regarding the LLC:
 - Confusion regarding ownership when owners passed away; and
 - Documentation provided showing trustees for property with authority to convey property as they see fit.
- Second issue is Big Game Habitat analysis:
 - Deterrents for big game habitat are close to highway;
 - Houses clustered close to highway;

- Elk located at the end of the DeSantis land toward State Park;
- Home site being considered is on a busy road; and
- Report stated there would be no impact to Big Game Habitat.


Board discussion:

- Mr. Fennimore summarized the conditions:
 - Standard conditions for this type of case;
 - Expiration date is four years from the date the decision is final:
 - Can be extended for two years if needed upon request.
 - Obtain building permits and septic site evaluations from building inspection;
 - File a farm/forest declaratory statement;
 - Provide evidence of domestic water supply;
 - Comply with special setbacks; and
 - Comply with fire siding standards.
- If the request is approved, Mr. Fennimore will prepare the final order with conditions.


MOTION: Commissioner Brentano moved to close the public hearing and approve the application for AR15-003, SAD, LLC with the conditions provided and authorize staff to return with an order. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

Commissioner Carlson read the calendar.

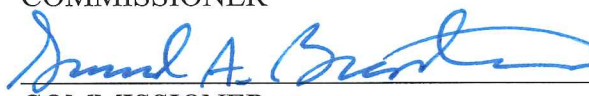
Commissioner Carlson adjourned the meeting at 9:45 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

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