

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, June 24, 2020
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Colm Willis, Commissioner Sam Brentano, and Commissioner Kevin Cameron. Also present were Jan Fritz, chief administrative officer, Jane Vetto as county counsel, and Brenda Koenig as recorder.

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

PUBLIC COMMENT

None.

PRESENTATION

(Video Time 00:00:50)

COVID-19 (Novel Coronavirus) update. –Katrina Rothenberger

- Ms. Rothenberger reported the following updates for the COVID-19 pandemic as of Tuesday, June 23, 2020:
 - There are currently an estimated 1,365 cases within the county;
 - An estimated 1,315 individuals have tested positive; and
 - There have been a total of 16,248 individuals tested.
- There have been questions regarding a large spike in cases:
 - There were 51 cases reported last week:
 - Thirty-four cases were associated with a long-term care facility;
 - Some cases were related to a work site;
 - Other cases were related to another long-term care facility:
 - They are not currently in an outbreak status.
 - The remaining cases are still being investigated.
 - The following day there were only 11 new positive tests with 13 new cases; and
 - With increased testing, there will be more positive tests in the community.
- The positivity testing rate has decreased from 12 percent to 8.4 percent;
- The governor’s mask order for businesses goes into effect today:
 - Information can be found on Marion County Health and Human Services (MCHHS) website; and

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- There is an exemption for children and those individuals with a disability.
- MCHHS continues to encourage community members to practice the following when in public settings:
 - Maintaining social distancing; and
 - Wearing cloth masks.

Board discussion:

- Testing is still limited to individuals who are symptomatic or those who work in high risk settings:
 - Individuals that are asymptomatic that live in communities that have been disproportionately impacted may be able to be tested;
 - The University of Oregon is working to validate a saliva test; and
 - There may be more testing for asymptomatic individuals available in the future.
- When there is an outbreak at a long term care facility, a team from the Oregon Health Authority (OHA) and the Department of Human Services (DHS) will reach out to the facility and offer to do a worksite infection prevention assessment:
 - OHA will provide recommendations to the facility, which may include cohorting staff and patients;
 - Making sure there is an adequate supply of Personal Protective Equipment (PPE); and
 - MCHHS will make contact with OHA, DHS, and the facility to find out what supports are needed.
- The positivity rate percentage has decreased over time; and
- The health care system is not being overrun with hospitalizations.

(Video time 00:10:03)

MOTION: Commissioner Cameron moved to add the following to the Consent Agenda: Consider an order approving a Conciliation Agreement dated June 12, 2020. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

MOTION: Commissioner Cameron moved to add the following as an Action Item under the Contract Review Board: Consider approval of a Room-Block Rental Agreement with BP Hospitality, LLC in the amount of \$2,100,000 to provide isolation and quarantine housing related to COVID-19 for county residents with no other source of housing. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

CONSENT

(Video Time 00:11:15)

Approve the Conciliation Agreement dated June 12, 2020.

BOARD OF COMMISSIONERS

Approve Amendment #4 to the second annual renewal of the Contract for Services with the Mid-Willamette Valley Community Action Agency, Inc. adding \$293,429 for a new contract total of \$935,538 to continue providing services to veterans in Marion County through June 30, 2021.

BUSINESS SERVICES

Approve a recommendation to uphold pay grades for classification #250, Family Support Specialist; and #576, Program Van Driver.

TREASURER'S OFFICE

Approve an order authorizing the Marion County Treasurer to invest surplus county funds in a manner that provides the best rate of return while providing access to the funds as necessary to meet the county's cash flow needs during Fiscal Year 2020-21.

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

ACTION

(Video Time 00:13:52)

Recessed as Board of Commissioners
Reconvened as Contract Review Board

CONTRACT REVIEW BOARD

1. Consider an order approving a Special Procurement exemption to extend a contract through June 30, 2022, with a renewal option for the Marion County Land Records Management System and professional services. –Bill Burgess and Camber Schlag

Summary of presentation:

- Ms. Schalg stated that Avenu Insights & Analytics, LLC provides the licensing and maintenance of LandMarc, the land records management system used by the Clerk's Office;
- The contract has been in place since 1999:
 - Special procurements were done in 2009, 2012, and 2017.
- The current contract expires June 30, 2020;
- The intention is to upgrade the system in Fiscal Year 2021-22;

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- The request is to extend the current contract to June 30, 2022;
- No protests were received regarding this Special Procurement request;
- Mr. Burgess stated that the system is used for some of the following:
 - Receipting;
 - Billing;
 - Records for financial management of land records;
 - Historical documents;
 - Marriage licenses;
 - Oregon Liquor License Control applications;
 - Passports; and
 - Election receipts.
- A new system would allow for more workflow efficiencies.

Board discussion:

- The system has been upgraded over the years; and
- There is language in the contract that allows early termination if an upgrade to the system can be done prior to expiration.

MOTION: Commissioner Brentano moved to approve an order for a Special Procurement exemption to extend a contract through June 30, 2022, with a renewal option for the Marion County Land Records Management System and professional services. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:21:41)

HEALTH AND HUMAN SERVICES

2. Consider approval of a Room-Block Rental Agreement with BP Hospitality, LLC in the amount of \$2,100,000 to provide isolation and quarantine housing related to COVID-19 for county residents with no other source of housing through March 31, 2021. – Ryan Matthews

Summary of presentation:

- The agreement is with BP Hospitality, LLC for the Super 8 Hotel located in Woodburn;
- The contract is for nine months with an estimated total of \$2.1 million;
- Phase 1 reopening efforts required that the county attest to having sufficient capacity to isolate and quarantine individuals impacted by COVID-19;
- The intended population of the facility will include individuals that test positive or presumptive for COVID-19, which may include the following:
 - Those that are unable to self-isolate;
 - Individuals being released from an endemic facility;
 - High risk populations, including migrant and seasonal farmworkers;
 - Those in congregate care settings;
 - Vulnerable populations; and

- People who live in multi-generational households that are unable to safely self-isolate.
- Funding will be provided by reimbursement from the CARES Act and the Federal Emergency Management Agency (FEMA);
- The hotel owner will maintain their staff for day-to-day operations:
 - The hotel will not be open to the public during this time period.
- Additional supports and services have been secured:
 - A nurse will be onsite to monitor symptoms and take temperatures;
 - There will be security 24 hours a day, seven days a week;
 - Laundry pickup and delivery;
 - Food delivery; and
 - A company will provide deep cleaning and sanitation of the room in between uses to ensure safety for future occupants.
- This is a valuable resource that will help in the fight against COVID-19.

Board discussion:

- Mr. Matthews responded to a question by Commissioner Brentano that if a facility was not available for individuals to self-isolate, it would put the health of the general population or close family members at risk;
- This is a way to keep the entire community and individual safe:
 - It is also a requirement of the Oregon Health Authority (OHA) to have an isolation facility.
- There are concerns from the community in regards to safety, and making sure visitors are unable to spread the virus to the vulnerable population surrounding the hotel:
 - Individuals will have to sign a user agreement to stay in the facility:
 - One of the conditions includes not leaving the room under any circumstances.
 - There will be 24 hours, seven day a week security provided by deputies from the sheriff's office;
 - Food and laundry services are available; and
 - There is advanced notice regarding individuals that are scheduled to be released from the prison system:
 - These individuals are on post-prison supervision;
 - They do not have a place to safely self-isolate; and
 - Once they have completed quarantine, they will be provided transportation back to the community that they reside in.
- Commissioner Cameron clarified some misinformation regarding the release of prisoners to the facility:
 - He also thanked everyone who was involved in getting this contract together and those that will be providing service to the individuals that will isolate there.
- Commissioner Willis reiterated that there were two options and this is the safer of the two; and

- Jane Vetto, County Legal Counsel, explained that the reason this contract came before the Contract Review Board is because the board declared a state of emergency on March 16, 2020, and under that resolution emergency procurements of goods and services are authorized under state statute and the procurement is pursuant to the board's emergency powers.

MOTION: Commissioner Cameron moved to approve a Room-Block Rental Agreement with BP Hospitality, LLC in the amount of \$2,100,000 to provide isolation and quarantine housing related to COVID-19 for county residents with no other source of housing through March 31, 2022. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

Recessed as Contract Review Board
Reconvened as Board of Commissioners

(Video Time 00:39:51)

COMMUNITY SERVICES

1. Consider approving the revised bylaws of the Marion County Fair Board. –Tamra Goettsch

Summary of presentation:

- Each year the bylaws are reviewed;
- There are minor changes:
 - Language;
 - Organization; and
 - Formatting.
- Key Volunteers:
 - Lays out terms, which is three years; and
 - They are appointed by the Board of Commissioners.
- Page 7 updates language from “Open Class” to “Public Competition”;
- The Marion County Fair is happening virtually this year:
 - It is a way to keep the community safe;
 - Honors the young people who have done projects;
 - Community members can participate in the online competition:
 - Fair members, 4-H, and FFA will be competing online:
 - Projects will be shown;
 - Members of the public can buy the auction items;
 - There are eight categories that community members can enter into;
 - Photographs must be posted by June 30th, and
 - The public will vote to determine a winner in each category.
- More information can be found on the fair's webpage at <https://www.co.marion.or.us/CS/Fair/>.

MOTION: Commissioner Brentano moved to approve the revised bylaws of the Marion County Fair Board. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:46:14)

HEALTH AND HUMAN SERVICES

2. Consider approval of the Contract for Services with Dr. James F. Miller in the amount of \$655,200 to provide mental health assessment and care to adult behavioral health clients through June 30, 2023. –Ryan Matthews

Summary of presentation:

- Dr. Miller has been supporting the Adult Behavioral Health Program for several years:
 - He works with the most vulnerable and severe individuals that are served under the program.
- He has continued services during the COVID-19 pandemic by telehealth:
 - The no show rate has significantly decreased.

Board discussion:

- Dr. Miller is a psychiatrist;
- He has worked with the county since 2016; and
- The primary nature of his work is assessment, prescribing medications, and supervision of these individuals.

MOTION: Commissioner Cameron moved to approve the Contract for Services with Dr. James F. Miller in the amount of \$655,200 to provide mental health assessment and care to adult behavioral health clients through June 30, 2023. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:48:54)

3. Consider approval of Amendment #11 to the Public Health Intergovernmental Agreement with the Oregon Health Authority (OHA) adding \$1,697,509 for a new contract total of \$5,068,909 for the new Program Elements PE01-05 COVID-19 Local Active Monitoring through June 30, 2021. –Ryan Matthews and Katrina Rothenberg

Summary of presentation:

- Funding is from the federal CARES Act and is being passed through to local public health authorities by the state of Oregon to support COVID-19 response activities; and
- It is broken into two sections:
 - Regional Active Monitoring is for \$94,657:
 - Helps support search capacity across the region to make sure proper agreements are in place, and to share communication and resources.

- Local Active Monitoring is for \$1,602,852:
 - There are several requirements under this section:
 - Focus is on high risk populations and those disproportionately impacted by COVID-19 which can include:
 - Seasonal farm workers; and
 - Congregate care facilities.
 - Work with community based organizations to provide some of the following:
 - Services and wraparound supports in a culturally and linguistically appropriate manner;
 - Contract tracing;
 - Education; and
 - Community outreach.
 - Case investigation;
 - Increase in testing capacity; and
 - Supports isolation and quarantine services.

Board discussion:

- Jane Vetto, County Legal Counsel, noted that one of the requirements of the contract is that Public Health must demonstrate to OHA that a quarantine location has been identified and ready to use; and
- Mr. Matthews stated that they will be sending a copy of any agreement to OHA by June 26, 2020.

MOTION: Commissioner Brentano moved to approve Amendment #11 to the Public Health Intergovernmental Agreement with the Oregon Health Authority adding \$1,697,509 for a new contract total of \$5,068,909 for the new Program Elements PE01-05 COVID-19 Local Active Monitoring through June 30, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:52:17)

PUBLIC HEARINGS

9:30 A.M.

PUBLIC WORKS

A. Continue the public hearing to consider Zone Change /Comprehensive Plan/ Conditional Use (ZC/CP/CU) Case #19-002/TLM Holdings, LLC. –Joe Fennimore

Summary of presentation:

Joe Fennimore:

- The application is for a 16.5 acre parcel located on Airport Road NE, in Aurora and is to change the comprehensive plan designation from Primary Agriculture to Public and Semi-Public:
 - To change the zone from Exclusive Farm Use (EFU) to Public (P);
 - For a conditional use for airport-related uses;
 - For an exception to Goal 3 to remove agricultural land restrictions; and
 - An exception to Goal 14 to allow an urban level development on rural lands.
- The hearings officer held a public hearing on March 27, 2019;
- On November 19, 2019, the hearings officer issued a recommendation for the following:
 - That the board approve the application if the applicant provides additional information;
 - Approve the goal exceptions comprehensive plan amendment zone change and apply a limited use overlay to set conditionally permitted uses on the property; and
 - Deny the blanket conditional use request.
- The board held a public hearing on June 3, 2020, and continued the hearing to June 24th, due to a defect in the notice;
- Mr. Fennimore explained that there are three types of goal exceptions:
 - The first is a physically developed exception when the property is already developed in such an extent that it is no longer available for agricultural use;
 - The second is the irrevocably committed exception where it must be demonstrated that the site and property is unavailable for agricultural uses due to the existing development and activities taking place on surrounding properties; and
 - The third is the reasons exception, where there are reasons specific to the property and proposed uses on why the goals should not be applied.
- The applicant is proposing a reasons exception to Goals 3 and 14:
 - The hearings officer began the goal exceptions analysis on Page 11 under Finding 5 of the recommendation and identified several items the applicant needed to address:
 - Primarily includes justifying why the proposed uses require runway access;
 - Noise and traffic mitigation measures; and
 - Adequate sewage disposal.

- The applicant has provided the additional information for the board to consider;
- The last page of the packet includes a list of conditions the board could consider if the request were approved; and
- The board has the following options:
 - Continue the public hearing;
 - Close the hearing and leave the record open;
 - Close the hearing and approve, modify, or deny the request; or
 - Remand the matter back to the hearings officer.

Alan Sorem, Attorney for the applicant:

- Mr. Sorem stated he will justify the reasons exception:
 - He will explain why the property is the best site to satisfy this need; and
 - Review the major criteria for the application and why the applicants believe they have been met.
- The property is a 16.54 acre site on Airport Road:
 - It is surrounded by airport facilities on three sides;
 - There is an easement for a taxi lane that provides direct access to the airport;
 - The concept plan includes approximately 276,000 square feet of hangar for:
 - Emergency operation;
 - Fire;
 - Offices; and
 - Shops.
 - The plan makes up ten percent of the privately owned developable land at the airport.
- The applicants are not seeking board approval to expand the runway, and currently there is no specific development proposal;
- The applicants are seeking approval to allow a zone change for redevelopment from EFU to Public and a conditional use permit to allow up to ten different airport-related uses on the property;
- There are three types of goal exceptions, applicant is asking for a reasons exception to Goal 3:
 - Goal 9 and Goal 12 support this reason:
 - Goal 9 is the economic development goal:
 - Based on the development patterns at the airport from 2010, approximately 38 acres of land were available for development;
 - Thirty five of those acres have already been developed or are currently in the construction or development process; and
 - Adding the 16.54 acre is needed due to the fact that the land available for development has been used in a short amount of time.
 - There has also been a significant change in the makeup of airplanes at the airport:
 - There has been a 56 percent increase in jets;

- There has been an 88 percent increase in helicopters; and
 - The amount of uses needed to support these types of aircrafts is significantly more than that compared to a single prop plane from the 1950's.
- The economic impact would be quite significant:
 - There would be approximately 3,360 new jobs;
 - \$15 million in direct and indirect wages; and
 - \$50 million in annual business sales.
- Goal 12 deals with transportation and is important in two ways:
 - It is consistent with state administrative rules and statutes defining lands that are publicly zoned and available for airport-related uses; and
 - The subsection within the transportation planning rule allows expansion of public airport facilities as a matter of law.
- The application is not expanding the airport itself , it is an infill project;
- The land has not historically been farmed and has not generated money in a commercial farming operation;
- The applicant has responded to all of the concerns from the hearings officer and supplemented their application:
 - The applicant has agreed to the limited use overlay zone; and
 - They have addressed the noise concerns and have agreed that no aircraft will be allowed to hover over the subject property not associated with normal takeoff landing procedures.
- Both the Oregon Department of Transportation and the Marion County Public Works department have reviewed and approved the applicant's TIA and traffic reports; and
- Mr. Sorem was open to questions or concerns regarding the application.

Aron Faegre

- Mr. Faegre has worked as an architect and engineer for 35 years all over Oregon and the Northwest;
- He has worked on projects at Aurora Airport for 20 years;
- The plan he designed should easily work with the surrounding public roadways as well as the taxiway that serves the hangars, offices, and shops;
- There are multiple uses listed in the application as the aviation world is very high-tech and complex:
 - Pilots need recurring training at the site;
 - Parts for airplanes are tracked according to FAA rules;
 - Aircrafts are constantly upgrading their electronics;
 - Safety inspections;
 - On-duty pilots need sleeping quarters to be able to respond to emergency situations;

- Some companies design the next generation of parts to make aircrafts safer and more efficient: and
- Others provide aerial mapping and surveying.
- All these uses already exist at the airport and the zone change for this parcel is inside the roads, surrounded on three sides by other aviation uses; and
- The property can be developed to accommodate the following:
 - Flight training;
 - Medical;
 - Emergency medical;
 - Firefighting; and
 - Aerial survey.

Lacy Brown, Traffic Engineer, DKS Associates

- Ms. Brown's company has been providing transportation engineering services for this project for the last five years:
 - Their office prepared the Traffic Impact Analysis (TIA);
 - It documents findings related to the Transportation Planning Rule Goal 12; and
 - It was conducted in accordance with county and ODOT procedures and requirements.
- The most current TIA was completed in April 2019:
 - Reviewed six study intersections surrounding the property:
 - Oregon 551 is on the west side; and
 - Looked at intersections at Arndt Road:
 - Keil Road; and
 - Ehlen Road.
 - Airport Road is on the east side; and
 - Looked at the same intersections as described above, including the proposed site access points to the property.
 - Study included an evaluation of existing safety and operations conditions of all intersections:
 - Short-term project impacts at build-out year of the development; and
 - Long term planning for 2037.
 - Conducted Transportation Planning Rule (TPR) analysis and findings, and included a proportionate share evaluation;
 - Standard practice for evaluating a zone change impact is to look at the reasonable worst-case possible development under existing and proposed zoning, then compare the intersection operability between the two development potentials:
 - Worst-case scenario for the existing farm use was a farm stand or nursery;
 - Compared that to the worst-case for public zone, which is a combination of warehouse and office spaces;
 - Coordinated with both Marion County and ODOT Region 2 staff during several phases of the project to get input on the TIA including:
 - Selection of study intersections;

- Land use assumptions for existing and proposed zoning;
- Trip generation analysis;
- Operations safety analysis methodology and results;
- Proportionate share evaluation and results; and
- Transportation planning rule findings.
- Each intersection was impacted differently by the zone change depending on existing levels of traffic and dispersion of traffic from the site:
 - Two intersections, Airport Road at Keil Road and Oregon 551 at Keil Road, had no significant impact;
 - Intersection of Oregon 551 and Ehlen Road has a significant impact:
 - ODOT has indicated that the state has funded a project set to begin in 2021;
 - The applicant has no obligation at this point in time; but
 - Is providing a proportionate share of the county's contribution of funding for this project.
 - Intersections at Oregon 551 at Arndt Road, Airport Road at Arndt Road, and Airport Road at Ehlen Road also are significantly impacted by the additional traffic generated by the zone change;
 - However, all these intersections failed to meet jurisdictional operating standards even without the zone change; and
 - TPR requirements can still be met through the provision of mitigations and proportionate share.
- The applicant has agreed to pay \$323,500 in proportionate share fees;
- All concerns raised by the hearings officer have been addressed;
- Both the county and ODOT reviewed and approved the traffic study, and provided a formal written letter confirming compliance with the TPR; and
- With the mitigations and conditions of approval, applicant believes all of the Goal 12 obligations have been satisfied.

Board discussion:

- Commissioner Willis clarified the following:
 - There is an impact to the intersection at Airport Road and Arndt Road;
 - There is also an impact to Airport Road and Ehlen Road; but
 - There is not an impact to Airport Road and Keil Road; or
 - Oregon 551 at Keil Road.
- Commissioner Brentano wanted more information about total trips generated by the proposed development, which Ms. Brown stated she would answer after the break.

Commissioner Willis recessed the meeting at 10:29 a.m.

Commissioner Willis reconvened the meeting at 10:37 a.m.

Board discussion:

- Commissioner Willis clarified the hearing procedure;
- Ms. Brown stated that the net increase in trip generation during the a.m. peak hour would be 174;
 - During the p.m. peak hour it would be 152; and
 - The total number of trips over the course of the day would be 1,251 trips.
- In response to a question by Commissioner Brentano, Ms. Brown stated that the impact of trips generated by the proposed zone change would be between one and four percent; and
- Most of the traffic will be opposite of the congestion patterns:
 - Morning traffic will be going south towards the proposed site; and
 - Evening traffic will be going north, away from the site.

Testimony:

Support:

Tony Helbling, Wilson Construction:

- Mr. Helbling's company provides power lines, maintenance, construction, and emergency restoration services across the United States;
- They operate seven helicopters and three airplanes based at the Aurora State Airport;
- He supports the approval of the application and encourages the commissioners to do the same;
- Aurora Airport is the economic engine of the north end of the county;
- It is home to some of the most prestigious aviation businesses in the state, such as:
 - Columbia Helicopters;
 - Life Flight Helicopter; and
 - Helicopter Transport Services.
- The addition will enhance the airport's ability to be ready for a significant disaster by expanding the existing space and attracting new aviation businesses;
- The addition is a peninsula inside Airport Road and shares boundaries on three sides with airport-related properties;
- TLM Holdings has worked through the years to be a good and respectful neighbor;
- They helped start Positive Aurora Airport Management (PAAM) and other outreach organizations; and
- They have been instrumental in working with representatives from surrounding communities and the Oregon Department of Aviation in establishing a voluntary noise abatement procedure for landing and departing aircraft, which has dramatically reduced overflights of the surrounding communities.

Opposition:

Joseph Schaffer, Aurora Planning Commission:

- Mr. Schaffer is the Chair of the Aurora Planning Commission and is speaking on behalf of the city;
- He believes the application is missing a Goal 11 exception;
- He stated the applicant's explanation on why this is not required is incorrect for two reasons:
 - First, misinterpretation of the definition of a sewer system, that unless a pump and pressurized line are necessary, Goal 11 does not apply;
 - The effect of this interpretation is that sewer lines could be extended uphill from any city into rural areas without a Goal 11 exception; and
 - Second, the existing septic system at Southend Airpark already uses a pump and pressurized system:
 - Extending the system across flat ground to serve the subject properties will likely require more pumps and pressurized lines.
- The septic consultant's report does not calculate the sewage flows or provide a system design;
- The site plan does not show a drain field and is on state-owned property;
- There is no indication the state will accept wastewater from the properties or that it has adequate space for more drain fields;
- Adequate information has not been provided for the county to determine that a Goal 11 exception is not required; and
- Annexation into Aurora is the best solution to this situation.

Board discussion:

- Commissioner Brentano wanted to know how the sewage system at the airport affects Aurora;
- Mr. Schaefer stated there are a lot of water quality issues at the airport, and when there is a high concentration of septic systems it tends to degrade the water quality, which leads to nitrates seeping into the water wells; and
- In response to question from Commissioner Brentano, Mr. Schaefer stated he does not have the scientific data to say how that would affect the city, but it affects their ability to provide sewer services:
 - Traditionally urban uses near cities are required to annex into the cities and connect to the city provided water and sewer.

Daniel Pauly, Planning Manager, City of Wilsonville:

- Mr. Pauly provided an exhibit binder for the record;
- The city acknowledges decades of development pressure in this area;
- The land has historically, and by law, been determined to be agricultural land;
- There is well established case law that the burden of proof for any goal exception is high;

- Mr. Pauly compared the 2010 US Leasco approval for helicopter services to this application, and does not believe that the applicant in this case has met the burden of proof to acquire approval of their proposal; and
- He requests denial of the application or a remand back to the hearings officer to allow the applicant to provide the information requested in order to make a decision.

Board discussion:

- Commissioner Cameron wanted to know when the last time the property was used as agricultural land;
- Mr. Pauly replied that this property historically has not been used for agricultural purposes;
- He then asked if Helicopter Transport Services could have been located at the Salem Airport; and
- Mr. Pauly replied that they needed access to the specific services provided at the Aurora Airport that would not be available at other airports.

Lee Barkman:

- Mr. Barkman has lived in Wilsonville for 25 years;
- He stated that the noise from the airport traffic is constant;
- If the length of the runway and taxiway are increased, larger planes would be able to access this, and it will increase air traffic;
- It may also bring pollution issues;
- He stated he is a strong supporter of land use planning:
 - Laws have protected rural areas from commercialism.
- He believes that once the area is opened up for development, there is no going back, and it will change the character of the area; and
- He urged the commissioners to deny the application.

Alan Sorem:

- In response from a previous question by Commissioner Willis, Mr. Sorem stated that the average salary in 2014 was roughly \$66,000:
 - He anticipates there would be a 10 percent expansion in employment.
- Mr. Sorem reiterated that this is not about the Aurora Airport Master Plan:
 - He anticipates that the binder submitted by the City of Wilsonville will be related to this topic;
 - He has not had a chance to review the information; and
 - He requested that the record be left open for 21 days to allow for rebuttal evidence and for the applicant to make a final legal argument.
- He believes that substantial evidence has been submitted for the record regarding the goal exceptions;
- Mr. Sorem stated that farming is an important industry in Marion County:
 - The 16 acres are not needed for farming; and

- They would be better used to serve the airport.
- He believes all traffic criteria were well addressed by DKS Associates;
- A stormwater management report prepared by Environmental Management Systems is in the record:
 - The report contains three different options to handle the potential effluent from the site;
 - There is not a specific plan at this point because there is not a specific development proposal; and
 - It is feasible to develop the property without requiring a new public septic or wastewater management system.
- Mr. Sorem believes they have addressed all the applicable criteria; and
- With the small sacrifice of farm land, it can help the county provide for and address their transportation and economic needs.

Board discussion:

- Commissioner Brentano wanted more information on how sewer and water would be handled in any application or development;
 - Mr. Sorem responded that a report was provided by Environmental Management Systems:
 - There are three potential options to consider for wastewater;
 - Water service would be similar to what the City of Aurora is doing:
 - Treatment and filtration.
 - The property would not need to be annexed into the city for these types of services.
 - Must comply with all applicable development standards;
 - When development occurs, they will obtain all necessary permits and create a plan; and
 - The applicant agrees to all conditions of approval.
- Mr. Fennimore stated that the hearings officer laid out the issues that need to be addressed, and he believed those had all been addressed;
- Commissioner Cameron inquired about future plans to install a turn signal at the intersections of Ehlen and Arndt Roads;
- Mr. John Rassmussen, from Public Works Engineering, stated that those are identified projects:
 - Airport at Arndt is a county identified project;
 - Airport at Ehlen is a City of Aurora identified project; and
 - Neither project is currently funded.
- The applicants have agreed to contribute to these projects:
 - The money would be held as dedicated funds specifically for these projects.
- The land has not been used for farming recently:
 - It was owned by a church group and contains buildings and cabins.


MOTION: Commissioner Cameron moved to close the public hearing, but leave the record open until July 1, 2020 for written testimony, until July 8, 2020 for rebuttal, and until July 15, 2020 for applicant's final legal argument. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

Commissioner Cameron read the calendar.

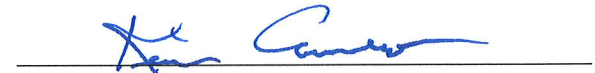
Commissioner Willis adjourned the meeting at 11:32 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

Board Sessions can be viewed on-line at

<https://www.youtube.com/playlist?list=PLSUQ1gg6M78UsBE3q6w4rdf59Z5rXkEi5>