



# Management Update Summary Minutes

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Monday, October 19, 2015, 9:00 a.m.  
Courthouse Square, 555 Court St. NE, Salem  
5th Floor, Suite 5232, Silverton Conference Room

## ATTENDANCE

Commissioners Janet Carlson, Kevin Cameron and Sam Brentano; John Lattimer, Jeff White, Tamra Goettsch, Derek Godwin, Gloria Roy, Caron Galvin-Price, Brandon Reich, Warren Jackson, Barb Young, Jolene Kelley, Danielle Gonzalez, Krista Ulm, and Allycia Weathers as recorder.

## Guests:

Paul Thomas, Service District Budget Committee  
Mary Stewart, OSU Extension  
Peter Dane, Service District Citizen Representative

John Lattimer called the meeting to order at 9:02 a.m.

## COMMUNICATIONS UPDATE

Jolene Kelley, Public Information Coordinator, gave current updates.

## INFORMATIONAL

### **Propose Potential Sale of Tax Foreclosed Property**

#### *Summary of presentation:*

- Marion County owns a strip of land in Keizer;
- Exception to policy needed to sell to adjacent property owners:
  - Current policy allows the county to sell by private sale to an adjacent property if the property is unbuildable and less than \$15,000;
  - Would sell to one property owner or all property owners, which may be difficult for the neighborhood;
- Similar case in 2006:
  - Did get the exception and asked neighbors for interest;
  - Some neighbors interested, others not;
- Decision to make exception to sell to interested parties;
- The reason the property came about is because of an easement;
- Owner with 16 foot easement nearby to go to Wheatland Road, back in 1949 prior to the development;
  - North developer included eight feet into the properties;
  - Fence built on easement line, not property line;
  - Property owner unwilling to give up easement previously, currently deceased;
  - Developer left out the other eight feet of the easement;
  - Left an eight foot property through tax foreclosure; and
  - Several neighbors interested in purchasing.
- Complaints from a neighbor regarding overgrown blackberries and tagging in the easement;
- Generally the owner is responsible for maintenance, not the easement holder; and

- Upon approval to move forward, Caron can talk to neighbors and land owner with easement:
  - Will come back with next steps.

### **Discuss Issue Concerning a Tax Foreclosed Property in Mt. Angel**

#### *Summary of Presentation:*

- Gas stations obtained through tax foreclosure;
- Working with Department of Environmental Quality (DEQ) to get to a 'no further action' status:
  - Stayton property is at no further action;
  - Can sell Stayton property;
  - Mt. Angel property still in process; and
  - Waiting to sell Stayton until Mt. Angel is ready.
- Mt. Angel property is two different tax lots:
  - North side is at a no further action status; and
  - South side is still undergoing assessment.
- Easier to sell property at a no further action status;
- Hoping to secure DEQ or Environmental Protection Agency (EPA) funding for clean up:
  - Funding availability pending November meeting; and
  - Would have to agree to the assessment to apply for funding.
- Grant funding used to clean up the underground tanks and complete sampling;
- Fuel may have seeped into ground at the Mt. Angel property previously;
- Concern for property owners nearby with potential reduction to property values;
- County can receive assessment and clean up funds from the federal government, but it is more difficult for private property owners; and
- Caron will work with DEQ and EPA to try to get funding for an assessment.

### **Woodburn Remand Adoption Timeline Update**

#### *Summary of Presentation:*

- Marion County Public Works has been working with the City of Woodburn and Department of Land Conservation and Development (DLCDC) to come up with findings and move forward on the urban growth boundary (UGB) amendment and adoption;
- New requirement coming out of House Bill 2254 requires the Land Conservation and Development Commission (LCDC) a special study area to be identified, and new criteria for expanding UGB:
  - Potential to derail work being done on Woodburn UGB.
- Some cities including Woodburn have done study area analysis under the old method;
- Woodburn is a sensitive and complex situation:
  - Much work completed on identifying where UGB could expand.
- New rules to be adopted December 3, 2015 and go into effect January 1, 2016;
- Woodburn wants to go through adoption process under current rules:
  - The rules that are in effect when the jurisdiction adopts are the rules that apply;
- LCDC is not going to grandfather current processes as it has in prior changes:
  - Some cities likely to request the legislative fix.
- Potentially the City of Woodburn will ask Marion County to do a joint hearing;
- Woodburn can read by emergency and adopt the next week;
- Woodburn hearings generally take place Monday evenings;
- Joint hearing allows for adoption by the end of the year;
- Marion County can do emergency adoption the same day;

- Marion County needs to pass an ordinance;
  - Draft ordinance will be available for the hearing;
  - Ordinance can be signed the following day after approval and changes, if needed.
- If there is another appeal, the new laws will be in effect:
  - Adoption may be under new rules;
  - It behooves the City of Woodburn to request legislative fix in either event.
- Marion County is willing to move forward with joint hearing in December.

### **Review Letter Regarding Detroit Development Code**

#### *Summary of Presentation:*

- Background:
  - Marion County Public Works received a request from Mid-Willamette Valley Council of Governments requesting input on an ordinance decreasing the minimum lot size in the City of Detroit;
  - Proposing to reduce lot size from 10,000 square feet to 5,000 square feet; and
  - Issues with septic systems at that size.
- County on-site waste-water specialist conducted research regarding lot size and waste water issues;
  - Found several cases where smaller lots had been developed prior to the current ordinance requiring lot sizes of at least 10,000 square feet;
  - Marion County was unable to approve septic application; and
  - Two lots had to be combined in order to build the house.
  - Also talked to other on-site waste-water specialists, or registered environmental health specialists and DEQ to gather additional input; and
  - Put together comments indicating there could be problems with smaller lot sizes when it comes to septic systems.
- Have not received a request like this previously;
- County administers permits to install septic systems;
- There are septic systems approved through DEQ that take up less space that were not available in the past;
- Concern that small lots will restrict the ability to build a home, and that neighboring properties excavating can destroy ability to get a septic permit at an adjacent property;
- Comments referenced DEQ study in the Detroit area:
  - Already have 5,000 square foot lots in the City of Detroit.
- Property owners could potentially purchase a lot at 5,000 square feet that cannot obtain a septic permit, and would be unable to build on that property;
- State law requires a site evaluation for each lot to subdivide a property;
- Would like Community Services to receive a copy of the DEQ report for Detroit:
  - Could be helpful with sewer district conversation.

### **ACTION**

#### **Ratify the Hands and Words are not for Hurting Proclamation**

#### *Summary of presentation:*

- The proclamation was on the Board Agenda on last Wednesday; and
- Commissioner Cameron was unavailable to sign the proclamation.

#### **Motion:**

Commissioner Cameron moved to reopen the proclamation and ratify it. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

## **CONVENE Marion County Extension and 4-H Service District**

### INFORMATIONAL

#### **Discuss the Structure of Field Crop Position under Contract through Oregon State University (OSU) for the Marion County Extension and 4H Service District**

*Summary of presentation:*

#### **Motion:**

Commissioner Brentano moved to insert the Service District agenda into the noticed Management Update agenda. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

Meeting minutes were prepared by the Marion County Extension and 4-H Service District and are available from the Marion County Community Services Department.

## **ADJOURN Marion County Extension and 4-H Service District**

Adjourned by Commissioner Carlson at 10:35 a.m.

## **Reconvene Management Update**

### COMMISSIONERS' COMMITTEE ASSIGNMENTS and UPDATE

#### **Commissioner Janet Carlson**

- Attended Association of Oregon Counties (AOC) meeting on Monday:
  - The clerks have withdrawn any proposal on precinct committee persons; and
  - Bill Burgess is the clerk's representative for AOC.
- Attended the Governor awards for the Marion County Fair Board;
- Public Safety Coordinating Council (PSCC) met:
  - Ratified the plan;
  - Named Liberty House and Center for Hope and Safety as victim services providers;
  - Completed special procurement; and
  - Discussion on homelessness:
    - Mayor Peterson requested the topic on the agenda;
    - Work group being developed with PSCC and cities;
    - Discussed housing first strategy;
    - Presentation from Community Action Agency ARCHES program;
    - Union Gospel Mission (UGM) interested in involvement; and
    - Faith based groups working on the issue.
- Spoke at the Chemeketa Community College graduation for Woodmansee Program;
  - Apartments built off of Sunnyside Road;
  - Marion County Health Department provides services;
  - Treatment and other services for mothers; and
  - Working to keep children out of foster care.
- Meeting on Behavioral Care Network (BCN) contract with Marion County and BCN contracts with Coordinated Care Organization (CCO) on Tuesday:
  - Internal work on contract language;
  - Two hours of work on the framework in the meeting;
  - CCO director concerns about County services;
  - Discussion in the meeting regarding how restricted reserve funding is spent by the County;
  - CCO representative had prior issues with another county;
  - Draft contract being prepared;
  - BCN presenting at Board Meeting tomorrow afternoon; and
  - Have not had presentations in the CCO meetings previously.
- Reentry Breakfast tomorrow morning; and
- Alliance for Hope site visit:

- Assessment of victim services with Casey Gwinn;
- Attending the Reentry Breakfast;
- Discussed three day agenda from 10/20 – 10/22;
- Requested ride along with local police and going with Salem Police Department; and
- Allycia will follow up with Jayne and Kim on survivor surveys.
- Student Opportunity for Achieving Results (SOAR) program graduation coming up Friday.

#### **Commissioner Kevin Cameron**

- The City of Detroit was awarded the Federal Lands Access Program (FLAP) grant;
- Turned down for the North Fork Road grant:
  - Turned down because of a technicality; and
  - Appeal letter has been submitted.
- Attended to the Mid-Willamette Valley Community Development Partnership Board meeting;
- Oregon Forestry Update last week:
  - The PowerPoint presentation was very good;
  - Explained the interrelationship between Bureau of Land Management (BLM), Federal Land, and State Land;
  - Barb Young working with Russ Lane, Oregon Department of Forestry, Assistant District Forester, for a Forest Service Tour for Commissioner Brentano; and
  - Commissioner Cameron would like to attend the tour; and would also like to review the PowerPoint.

#### **Adjourned 10:59 a.m.**

COMPLETED BY: **Allycia Weathers**

*Reviewed by:* *Gordean Ash*