



MARION COUNTY BOARD OF COMMISSIONERS

# Management Update Minutes

**Monday, July 31, 2017, 9:00 am**

Courthouse Square, 555 Court St. NE, Salem  
5th Floor, Suite 5232, Silverton Conference Room

ATTENDANCE:

Commissioner Sam Brentano, Commissioner Janet Carlson, Commissioner Kevin Cameron, John Lattimer, Jan Fritz, Gloria Roy, Scott Norris, Tom Rohlfing, Colleen Coons-Chaffin, Justine Flora, Alan Haley, Joe Fennimore, Barb Young, Jolene Kelley, and Kenna West as Recorder

Guest: Allan Pollock, Cherriots

John Lattimer called the meeting to order at 9:00am.

INFORMATIONAL

**Cherriots Update**

*Summary of Presentation:*

- Allan Pollock discussed the plans of action after HB2017 passed;
- HB2017 summary:
  - Funds with a .1% employee payroll tax;
  - Begins its assessment July 1, 2018;
  - Date of revenue flow to the agency is still unclear;
  - Department of Revenue will collect the tax;
  - 90% of the gross revenue goes to transit districts, transportation districts and counties;
  - 5% is a competitive grant process to replace Connect Oregon for transit;
  - 4% is for inner city transit; and
  - 1% for a technical center for the small agencies for planning.
- The year one estimate for Cherriots is \$7.3 million;
- Service will be phased in as of September 2018;
- Services under consideration include:
  - Saturday service;
  - Limited Sunday service;
  - Later evening service during the weekdays;
  - Bus pass program for students;
  - Review of the downtown circulator;
  - Holiday service;
  - Improved frequency and coverage on the Cherriots service:
    - Includes Cherry Lift service.

- Enhancements to the ancillary services; and
  - CARTs service.
- At the August Cherriots Meeting, the Board will receive a draft service proposal;
- In the fall it will go out to the public for input;
- Hope is that at the December meeting the Board would approve the Service Implementation Plan;
- Probably will not have to buy additional equipment because the main increase is a Saturday service:
  - May have to replace busses earlier because of the increased service, but won't have to buy more.
- West Salem connector service area is turning into two fixed routes that will be operated with smaller buses;
- South Salem will look at connector services;
- CARTs:
  - Will have to determine how much money is available for CARTs;
  - Then will have a public outreach in the rural areas;
  - Potential limited service on Saturday;
  - Potential added service on other routes; and
  - Will need outreach to determine what is needed.
- Some discussion about restarting the CARTs committee now that there is some potential funding;
- Awaiting more information from Oregon Department of Transportation as to how the funding will be distributed;
- Payroll tax would be from employers within the service area;
- There are no board members who represent the rural areas, but there is a Special Transportation Fund Advisory Committee which is made of members from within and outside the UGB;
- Intergovernmental Agreement with Marion, Polk, and Cherriots Board; and
- On the eclipse day the buses will run on their normal routes, but will pull over at the time of totality.

*Summary of Board Discussion:*

- Request to be provided with a copy of the Intergovernmental Agreement for their review.

**Update on solar arrays in Marion County farm zones**

*Summary of Presentation:*

- Oregon Revised Statutes allows the counties to allow the solar power generating facilities as a conditional use;
- Administrative rules also apply that have been codified in Marion County code;
- A property can establish one of the arrays on farm zone property:
  - Site limited by type of soil:
    - Predominantly high value soil is limited to 12 acres; and
    - Predominantly non-high value soil is limited to 20 acres.
  - Facility must not create any unnecessary negative impacts on agricultural operations on the property;

- Must not create any unnecessary soil erosion or loss;
- Must not create any unnecessary soil compaction; and
- If there are non-high value soils on the property the facility must be located on those soils unless would significantly reduce the facility's ability to operate or it would have an impact on the existing farm use of the property.
- At the time of application, if there are 48 acres or more already approved within one mile of the site, then additional studies must be completed;
- Current codes only contains those provisions required by state statute;
- The Board can be more restrictive, if they choose, by adding additional standards;
- The procedure is a conditional use which is filed with the Planning Division;
- Planning Director issues a decision and all the property owners within 750 feet are notified of that decision and have the opportunity to appeal;
- If appealed, the matter goes to the county hearings officer and an opinion is issued after a public hearing;
- This order can be appealed to the Board of Commissioners;
- When at the Planning Director level no one is notified before the decision is made;
- After the Planning Director issues opinion, then a person can make comments during the appeal process;
- Prior to this process there was an ability for people to appeal without paying the \$250 fee;
- This led to people appealing just because they did not like the person and did not focus on the criteria or process;
- If a constituent appeals and the decision is overturned then the appeal fee is reimbursed;
- Previously there were free appeals, but there was a certain group of people who appealed every decision because there was no cost which resulted in a lot of time and money being spent without valid grounds for appeals;
- It is unknown how many people the solar company reached out to prior to the project, but this company in previous projects has gone out and knocked on doors;
- The best farm soil will be protected;
- There is no minimum land requirement, only a maximum land requirement; and
- The conditional land use permit requestor pays a \$1,250 fee.

*Summary of Board Discussion:*

- If the process is changed then the fee must be changed to cover the increased expenses;
- Joe Fennimore to return to the Board of Commissioners with a draft proposal of fees based on the acreage being affected and/or used; and
- The Board of Commissioners requested that the matter be scheduled for public hearing either through the hearings officer or pursuant to Board request, whichever is appropriate based on the current standing.

## **Review of Marion County Health Insurance Study Committee Charter**

### *Summary of Presentation:*

- Review of the draft proposed Charter which was voted by the committee to bring forward to the Board of Commissioners for approval;
- Appendix A is a section that the committee had included, but was removed based on discussions with legal counsel;
- Appendix A is the committee purpose and function which, according to legal counsel, is actually directed by the bargaining agreement and cannot be determined by the committee;
- A lot of time spent on removing language that was outside the scope of the committee;
- No formal, signed charter exists at this time;
- Currently only have a "working" document;
- Requesting that the Board review the document and provide input on removal of Appendix A, language, and any other comments the Board might wish to add; and
- Eliminated a great deal of superfluous historical information as well as information that is duplicative.

### *Summary of Board Discussion:*

- Board requested a copy of the collective bargaining agreements so they can compare the agreements to what is in the charter; and
- Justine Flora to circulate a "cleaned up" version of the charter to the Board for review and revision.

## **Communications Update**

- The public information officer provided a communications outreach update; and
- Discussion regarding solar eclipse press briefing scheduling.

## ACTION

### **Appointment of an Interim Juvenile Director**

- Commissioner Cameron made a motion to appoint Chuck Sybrant as Interim Juvenile Director;
- Commissioner Carlson seconded the motion; and
- The motion passed with a unanimous vote.

Adjourned at 10:04 am

COMPLETED BY: **Kenna West**

*Reviewed by: Sarra Sparks*