



OREGON

MARION COUNTY BOARD OF COMMISSIONERS

# Management Update Minutes

**Monday, April 16, 2018, 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, Jan Fritz, Jane Vetto, Scott Norris, Jeff White, Joe Fennimore, Barb Young, Jolene Kelley, and Kristy Witherell as Recorder.

Jan Fritz called the meeting to order at 9:00 a.m.

## INFORMATIONAL:

### **Discuss the Sale of a Tax Foreclosed Property Tax ID#R341154, located at 570 Rural Avenue S, Salem**

- Jeff White

#### ***Summary of presentation:***

- Piece of property that was taken through tax foreclosure;
- Property owner has asked to purchase it back;
- The amount of taxes and fees owed are a little over \$68,000;
- The owner has indicated that he is capable of providing the money;
- The amount owed is larger than normal;
- The property owner is alleged to be involved in several inappropriate financial transactions;
- County policy does not check background of people wanting to buy tax foreclosed property; and
- The property owner will be required to pay with a cashier's check.

### **Discuss Harris vs. Marion County, Land Use Board of Appeals (LUBA) Case #2018-022**

- Scott Norris, Joe Fennimore

#### ***Summary of presentation:***

- The application of Brush Creek Solar for a solar array;
- The board approved the application on February 28<sup>th</sup>;
- The 150-day deadline for the county to render its decision expired on March 1<sup>st</sup>;
- The neighbors, Harris, have appealed the board's decision;
- Marion County is the defendant, otherwise known as "respondent" in LUBA language;
- Brush Creek Solar has intervened in the case;
- The record is completed;
- Petitioners brief is due May 9<sup>th</sup>;
- Brush Creek Solar brief is due May 30<sup>th</sup>;
- Historically, the county has always defended its decisions to LUBA;

- Three options:
  - The county could defend its decision before LUBA;
  - Submit a minimal respondents brief explaining the reason for the decision, without going into an extensive legal analysis; or
  - Not file respondents brief and let the intervener defend the county's decision at LUBA.

**Board discussion:**

- The commissioners like option #2 the best;
- The commissioners assume there will be changes to the code in the future;
- Don't want to be inconsistent arguing one case now if there are changes in the future;
- Option #1 would be a detailed legal analysis countering the petitioners arguments justifying the county's decision; and
- Option #2 would be a brief summary stating the county's decision.

**Communications Update**

- Jolene Kelley
- Ms. Kelley gave a brief update of events happening in the community that the commissioners will be attending.

**Commissioners' Committee Assignments and Update**

Sam Brentano:

- Attended a special meeting at the Oregon Garden:
  - Moving forward in the right direction.

Kevin Cameron:

- Attended Chamber Forum Luncheon;
- Attended Governors Reentry Council:
  - Second chance tour kick off.
- Attended EDAB meeting;
- Attended the Oregon State Fair Council meeting;
- Boots No Suits Tour;
- Attended Detroit Lake meeting:
  - The lake will be full this year.
- Attended the East Salem Neighborhood Association meeting.

Janet Carlson:

- Attending healthcare meetings.

Meeting dismissed at 9:37 a.m.

COMPLETED BY: Kristy Witherell

*Reviewed by: Sherry Lintner*