



MARION COUNTY BOARD OF COMMISSIONERS

# Management Update Minutes

**Monday, April 1, 2019, 9:00 a.m.**

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

## ATTENDANCE:

Commissioners Kevin Cameron, Sam Brentano, and Colm Willis, John Lattimer, Jan Fritz, Tom Rohlfing, Cary Moller, Jane Vetto, Scott Norris, Joe Fennimore, Barb Young, Lisa Trauernicht, Jolene Kelley, and Kristy Witherell as Recorder.

John Lattimer called the meeting to order at 9:05 a.m.

## INFORMATIONAL:

### **Discuss Revocation of Conditional Use Case #16-014/Klopfenstein**

- Joe Fennimore, Scott Norris

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

- In 1978, the county approved a repair business for commercial activity in conjunction with farm use for farm equipment;
- In the conditional use, it stated that it was limited to two employees and farm equipment repair only, no repair of automobiles;
- The property was sold and the new owner who hired the current person to run the business, which morphed into automobile repair;
- Code enforcement received a complaint about the business:
  - As a result, the property owner filed a conditional use to amend the conditions of the previous conditional use.
- The county approved the conditional use with 75 percent of farm equipment repairs and 25 percent vehicle repairs:
  - The applicant didn't believe that they could meet the terms of the conditional use.
- The hearings officer denied the request due to the fact that the business had been vacated at one time:
  - The applicant appealed the decision to the board:
    - The applicant provided documentation that the business was continually being operated;
    - The applicant proposed to amend the conditions:
      - Self-report March of every year of the previous year's breakdown of farm related repair to non-farm related repair;
      - The county cannot automatically revoke the conditional use unless the business falls under 50 percent of farm related repairs two years in a row:

- In 2017, 70 percent of the business was non-farm related;
  - Last year, 63 percent was non-farm related; and
  - The applicant has not met the 50 percent requirement.
- Mr. Fennimore plans to revoke the conditional use:
  - The applicant can still operate under the original conditional use.
- The applicant can appeal the decision to the hearings officer and come before the board again.

***Board discussion:***

- The applicant proposed the conditional use in order for the board to approve it;
- The applicant would need to reapply to set different conditional use standards;
- A neighbor complained about the amount of vehicles that are on the property;
- The applicant has not responded from letters that Mr. Fennimore has sent;
- Under the code, the planning director has authority to revoke conditional uses; and
- Mr. Fennimore and Code Enforcement will request a meeting with the applicant to set a plan for shutting down the business.

**Review Rural Industrial Exemption Authorization Applications**

- Tom Hogue

***Summary of presentation:***

- In 2016, the legislature passed a rural and property tax exemption for industrial investments with the help of Marion County;
- In 2018, Marion County created an ordinance outlining the rural and property tax exemption;
- The county has received three applications that fall under the ordinance;
- The tax exemption grants industrial investments in rural areas in Marion County;
- It is a 100 percent tax exemption up to three years as long as the applicant gets a concurrence of 75 percent of the taxing value entities;
- The county is the initiating jurisdiction:
  - School district; and
  - Fire district.
- The applications will come before the board at board session as a resolution;
- The DK Fab, Inc. application is for \$4 million of industrial equipment:
  - May not complete their process due to a fire.
- Hopmere Cold, LLC is building a 24,000 square foot building for their business; and
- Marion AG has proposed a 75,000 square foot building.

***Board discussion:***

- If Marion County approves the exemption, it does not guarantee the business will get the tax exemption:
  - 75 percent taxing district approval is needed.
- The following qualifications have to be met in order to be approved:
  - \$1 million investment;
  - An employment test where the business has to add either one employee, or 10 percent to the workforce; and
  - Newly constructed or installed property.
- Gives the county the ability to encourage businesses to make investments and gives them tax breaks for three years; and
- Commissioner Brentano will abstain from voting for this at board session due to a conflict.

### **Coordinated Care Organization (CCO) Discussion**

- John Lattimer

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

- PacificSource wants the county to put together a Memorandum of Understanding (MOU) by April 1, 2019, for them to submit to the Oregon Health Authority:
  - PacificSource stated it was required.
- Need direction from the board;
- Polk County adopted a fairly general MOU that outlines requirements;
- Believes the board should do the same thing, but with changes;
- The CCO's have to show provider adequacy for both the behavioral health provider system, and their physical health provider system;
- The obscure report provided is a network delivery report;
- A prospective provider needs to be submitted by April 1, 2019;
- Application is due April 22, 2019;
- The MOU has been adopted by PacificSource and Marion-Polk Coordinated Care Organization;
- There is a citing that has been added in the MOU that references the local health authority's role that Marion-Polk Health Plan; and
- This discussion will need to move to Action.

**MOTION:** Commissioner Brentano moved for approval of moving Coordinated Care Organization Discussion under Action. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

### ACTION

#### **Consider approval of a Memorandum of Understanding regarding Coordinated Care Organizations**

- Cary Moller, John Lattimer

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

- Legal Counsel spoke with Polk County's Legal Counsel and they stated that they were surprised by the MOU:
  - Polk County put together a general MOU.

- Previously, Marion County didn't believe that they had a strong enough voice in the governance of the CCO;
  - The county was not adequately compensated for care they were providing.
- The MOU acknowledges that the county is a provider;
- Ms. Moller asked PacificSource for a timeline:
  - The application is due April 22, 2019;
  - The state of Oregon will make decisions on who they will contract with in early July;
  - Between July and September 2019, the contracts will be initiated; and
  - Between September and December 2019, the CCO's will be initiating their own contracts with the community.
- This MOU satisfies all requirements with the two CCO's between now and April 22<sup>nd</sup>.
- Trillium did not initiate a MOU, but Marion County will draft one:
  - Trillium has been purchased by a national company; and
  - OHA had agreed to allow any current CCO to apply.

The commissioners recessed at 9:39 a.m.

The commissioners reconvened at 9:59 a.m.

- All of the MOU's are identical;
- The MOU states that the county will support their application:
  - The county is a licensed provider; and
  - The county will provide a letter of support if asked to do so.

**MOTION:** Commissioner Brentano moved for approval of the proposed Memorandums of Understanding with Marion-Polk Coordinated Care, Inc., PacificSource Health Plans, and Trillium Community Plan. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

#### LEGISLATIVE UPDATES

- Barb Young

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

- Friday, March 29, 2019, was the deadline to have the bill scheduled to get out of the house by April 9, 2019;
- Rob Bovett emailed John and Jan regarding deputy district attorneys wanting to be added under police and fire in PERS:
  - Adding them to the definition of a police officer;
  - Mr. Bovett is completing the fiscal impact by Tuesday;
  - There is a \$77,297 financial impact to Marion County for the first year; and
  - Will be up for discussion on Wednesday.

House Bill 2974:

- Representative Evans bill;
- Creates the Bridge District;

- Up for discussion today at 3:00 p.m.;
- Creates a service district between Yamhill, Polk and Marion Counties; and
- Becomes a taxing district so the money can be used for a bridge across the Willamette River.

House Bill 2982:

- Abandoned housing bill;
- In judiciary right now; and
- Commissioner Cameron will testify on Wednesday, April 3<sup>rd</sup>.

Senate Bill 501:

- Most likely dead; and
- Commissioner Brentano would like a board letter to oppose all three firearms bills.

House Bill 2020:

- The exemption in the bill does not include waste-to-energy;
- Ms. Young is working with the lobbyist for Covanta;
- Putting language together to propose getting an exemption again; and
- Commissioner Cameron will meet with Senator Roblan and Elise Brown on Wednesday, April 3<sup>rd</sup>.

Senate Bill 451:

- Renewable energy credits;
- Work session on Tuesday, April 2<sup>nd</sup>; and
- Caucus meeting on Thursday, April 4<sup>th</sup>.

Court Care Bill:

- Commissioner Cameron testified on the bill last week; and
- Work session on Wednesday, April 3<sup>rd</sup>.

House Bill 2320:

- Provides the fix for the percentage on lottery revenues;
- Ms. Goettsch testified on the commissioners behalf; and
- Work session on Wednesday, April 3<sup>rd</sup>.

COMMUNICATIONS

**Update**

- Jolene Kelley

- Ms. Kelley gave a brief update of upcoming scheduled events.

OTHER

COMMISSIONERS' COMMITTEE ASSIGNMENTS AND UPDATE:

Sam Brentano:

- Discussions about a SWMAC position for the City of Salem:
  - Commissioner Brentano stated that there are no elected officials on the council; and

- It is a citizens group making recommendations to the board.
- Attended the SKATS meeting; and
- Attended COG Board Meeting.

Kevin Cameron:

- Attended Jefferson Town Hall;
- The Bureau of Land Management had their quarterly meeting at North Fork; and
- Met with Ken Cartwright:
  - He's trying to get the radio station to broadcast up through Idanha.

Colm Willis:

- Attended the Homeless Initiative Meeting:
  - Voted to approve the Continuum of Care change;
  - Extend an invitation for Yamhill County to join the meetings; and
  - Approved Jan Calvin to be the new consultant.

Meeting adjourned at 10:47 a.m.

COMPLETED BY: **Kristy Witherell**  
Reviewed by: *Joanna Ritchie*