



MARION COUNTY BOARD OF COMMISSIONERS

Management Update Minutes

Monday, June 29, 2020, 9:00 a.m.

Courthouse Square, 555 Court St. NE, Salem
5th Floor, Suite 5231, Commissioners Boardroom

ATTENDANCE:

Commissioners Sam Brentano and Kevin Cameron, Jan Fritz, Jeff White, Camber Schlag, Jane Vetto, Ann Potter, Tamra Goettsch, Barb Young, Lisa Trauernicht, Chad Ball, Jolene Kelley, and Kristy Witherell as recorder.

GUESTS:

David Yamamoto, Tillamook County Commissioner

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

INFORMATIONAL:

Council of Forest Land Counties Update

- Chair David Yamamoto, Tillamook County Commissioner

Summary of presentation:

- The Council of Forest Trust Land Counties and Forest Trust Land Advisory Committee have been working with the Department of Forestry to update their forest management plan, as well as the development of a Habitat Conservation Plan;
- The Habitat Conservation Plan is bringing the most angst to many commissioners in the trust counties;
- The Habitat Conservation Plan is an agreement with the state of Oregon and federal government:
 - An adopted plan will allow the Department of Forestry an incidental take of certain numbers of endangered species without going through the normal process; and
 - In context of the Linn County class action lawsuit, it is not in the best interest of the trust counties to participate.
- Commissioner Yamamoto noticed that there was a certain agenda coming from the Department of Forestry when working on the Habitat Conservation Plan:
 - The Council of Forest Land Counties was being used to check a box with the Board of Forestry;
 - The discussion during these meetings was all about process:
 - How the Department of Forestry was developing the plan; and
 - There was no meat to the meetings.
- When the pandemic hit, all meetings stopped due to the commissioners being busy with other issues;

- The Department of Forestry has every intention to move forward with the scheduled timeline of the Habitat Conservation Plan, but the commissioners do not have the time to be involved;
- The Council of Forest Land Counties has future damages built into the Linn County class action lawsuit:
 - With the adoption of the Habitat Conservation Plan, that puts the future damages in jeopardy.
- The trust counties and the timber industries want increased harvest levels, which is an issues with the adoption of the Habitat Conservation Plan;
- The ability to sue the Department of Forestry again, should the trust counties determine that is necessary, would be difficult;
- The Habitat Conservation Plan is not in the best interest of the trust counties;
- In statute, the Board of Forestry has nothing to say about harvest levels, or where the harvests are to occur; and
- Testimony from the Department of Forestry stated that their goals were the financial liability of the Department of Forestry and increasing environmental outcomes in the state forests.

Board discussion:

- Commissioner Yamamoto will call a meeting in July and will ask for support at that time;
- The state has not approached the trust counties regarding a settlement or agreement; and
- There is a settlement conference on July 10th.

Discuss Approving the Sale of Nusom/McCorkle Family Cemetery by Private Sale or by Public Auction

- Jeff White, Camber Schlag

Summary of presentation:

- The Finance Department received a call from Nick Haas regarding salvaging a historic home and is looking for property to put it on;
- He found a historic cemetery that he would like to put the home on:
 - He contacted Public Works to get lot lines adjusted; and
 - He stated that he received support from the neighbors to purchase the property and move the home.
- The property is located outside of Silverton;
- Mr. Haas created a YouTube video stating that the county had given him the property;
- The neighbors are not supportive of him purchasing this property:
 - He is trespassing on their property.
- The county has three options with the property:
 - Continue to hold the property;
 - Sell it by private sale:
 - Give notice to the two adjoining land owners allowing them to submit a written bid; and
 - The highest bid wins:
 - The property is listed at less than \$15,000 and is non-buildable.

- Put it up for public auction.
- Staff recommends selling it by private sale.

Board discussion:

- The commissioners stated that if the sale fails, they do not want it to go up for public auction.

COVID-19 Update:

Summary of presentation:

- Community Services is working with Health and Human Services regarding serving dog owners that are impacted by COVID-19:
 - If an individual goes into the hospital or the hotel in Woodburn, they would have an option to have their dog housed with Dog Services:
 - This would not be a first resource option;
 - They would house the dog in the kennels or in foster care;
 - They would be held up to a month; and
 - Dog Services is creating a fee schedule that would be charged back to Health and Human Services.
 - This is not a typical service that would normally be offered;
 - Ms. Potter is working on a policy, procedures, and cost;
 - There are other foster and rescues in the community that Ms. Potter could reach out to for help with other animals;
 - If the Dog Shelter decides to offer this after COVID-19, they will bring this back to the board; and
 - This option will not be promoted publicly.
- Special legislative session update:
 - The COVID-19 bill was an omnibus bill;
 - The law enforcement bill was passed;
 - There is one issue left, which is the liability protection for local government, schools, and businesses:
 - Put together a work group; and
 - Joe Miller will be the county representative.
 - The second special session will predominantly be for budget;
 - The transparency task force, which is set up around the issue of investigations of use of force, has been pulled:
 - A transparency and law enforcement use of force work group has been set up.
 - The Arbitration Bill passed.
- Mr. Ball has pulled the 18 minute clip from Board Session where the commissioners have discussed the hotel in Woodburn:
 - The commissioners would like the video clip to be emailed to the city to clear up any questions they may have regarding the use of the hotel.

OTHER:

Tamra Goettsch:

- The Oregon Fairs Association is looking for letters of support to encourage the state to maintain the small amount of money for each county fair:

- Ms. Goettsch would like to write a letter of support on behalf of Marion County.

Jane Vetto:

- Woodburn hotel for COVID-19 patients update:
 - The City of Woodburn envisions a code enforcement action;
 - Under the city's code, they can go against the land owner and the county;
 - The city is stating that the county is not using the hotel for its purpose:
 - They are stating that the county is using it as a shelter or a hospital.
 - Ms. Vetto believes that the city may file an injunction to stop the use of the hotel; and
 - Commissioner Cameron participated in the Woodburn Chamber meeting last Friday and discussed the hotel to clear up some questions.
- There is a class action lawsuit against all counties regarding foreclosed properties:
 - When counties foreclose properties and sell it, they keep the extra funding and use it for various projects;
 - This lawsuit is on behalf of all people who have had their properties foreclosed due to back property taxes;
 - They are stating that it is unconstitutional and counties are not allowed to keep the excess funds, it should go back to the former property owner;
 - The lawsuit was filed in Deschutes County;
 - The county has handled a case like this in the past and was successful; and
 - No counties have accepted service yet.

Chad Ball:

- The Siletz Tribe would like to build a casino off of Portland Road:
 - Mr. Ball spoke with the Grand Ronde lobbyist, the City of Keizer, and the city of Salem:
 - Grand Ronde is not supportive of the casino and is asking for an Environmental Impact Study (EIS);
 - The City of Salem is also considering asking for an EIS;
 - The City of Keizer is lukewarm in support of the project:
 - In their letter they stated that traffic and affordable housing needed to be considered.
 - Governor Brown's policy is that all nine tribes need to agree on new casinos:
 - If Grand Ronde is not in agreement, then the issue is dead.
 - Mr. Ball will draft a neutral letter for the commissioners to sign and submit to the Bureau of Indian Affairs.

COMMISSIONERS' COMMITTEE ASSIGNMENTS AND UPDATE:

Sam Brentano:

- Was on Lars Larson last Friday and discussed the Woodburn hotel.

Kevin Cameron:

- Attending the statewide Town Hall Zoom Meeting with Representative Alonso Leon at 10:30 a.m.

Meeting adjourned at 10:20 a.m.

COMPLETED BY: **Kristy Witherell**

Reviewed by: *Joanna Ritchie*