

AGENDA

(Chair May Alter the Agenda)

BENTON COUNTY BOARD OF COMMISSIONERS

Tuesday, December 7, 2021

GoToMeeting: <https://global.gotomeeting.com/join/135764773>

or Dial **1 (408) 650-3123**; Access Code 135-764-773#

Livestream: <http://facebook.com/BentonCoGov>

THE BOARD WILL TAKE A BRIEF RECESS BETWEEN THE WORK SESSION AND BUSINESS MEETING

9:00 A.M.

I. Opening:

A. Introductions

B. Announcements

II. Comments from the Public

Time restrictions may be imposed on public comment, dependent on the business before the Board of Commissioners. Individual comment may be limited to three minutes.

III. Review and Approve Agenda

IV. Work Session

- 4.1 9:00 a.m., 30 minutes - Update from Department Operation Centers – Suzanne Hoffman, April Holland; Health Department
- 4.2 9:30 a.m., 15 minutes – Discuss Amendments to Supplemental Budget #22061 – Jennifer Ambuehl, Finance Services
- 4.3 9:45 a.m., 45 minutes – Discussion Fairgrounds Master Plan – Lynne McKee, Natural Areas, Parks and Events Director; Steve Mileham, Wayne Goeas – LRS Architects
- 4.4 10:30 a.m., 30 minutes – Discussion Possible Financing Strategy in Relation to New Courthouse in Regards to the Justice System Improvement Project (JSIP) – Nick Kurth, JSIP Program Manager; Rick Crager, Chief Financial Officer

The Board of Commissioners may call an executive session when necessary pursuant to ORS 192.660. The Board is not required to provide advance notice of an executive session. However, every effort will be made to give notice of an executive session. If an executive session is the only item on the agenda for the Board meeting, notice shall be given as for all public meetings (ORS 192.640(2)) and the notice shall state the specific reason for the executive session as required by ORS 192.660.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the Board of Commissioners Office, (541) 766-6800.

BUSINESS MEETING

V. Consent Calendar

5.1 Approval of the October 26, 2021 Tuesday Board Meeting Minutes

Public Hearing

Hearings are heard at 11:00 a.m., time certain or as soon thereafter as the matter may be heard
Those wishing to speak should sign the “Public Comment” sign-in sheet – Thank you.

- PH 1 In the Matter of a Public Hearing and Potential First Reading Amending Benton County Code Chapter 31 – Enforcement, Ordinance No. 2021-307 – *Gordon Kurtz, Public Works; Greg Verret; Community Development*
- PH2 In the Matter of a Public Hearing Approving an Annexation of Territory into the Hoskins-Kings Valley Rural Fire Protection District, Weiland and Estrada – *Joe Mardis, Public Works*

VI. Old Business

6.1 Approval of the May 28, 2019 Tuesday Board Meeting Minutes

VII. Departmental Reports and Requests

- 7.1 Discussion and Decision to Approve Order #D2021-079A Revising Fees for Permits, Applications and Services Provided by the Community Development, Natural Areas, Parks and Events and Public Works Departments – *Darren Nichols, Community Development; Lynne McKee, Natural Areas, Parks and Events; Gary Stockhoff, Public Works*

VIII. Other

ORS 192.640(1)” . . . notice shall include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.”

IX. Executive Session ORS 192.660[2][e] – Negotiations for Property Transactions and ORS 192.660[2][h] – Labor Negotiations

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MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS
GoToMeeting link: <https://global.gotomeeting.com/join/135764773>
Livestream: <http://facebook.com/BentonCoGov>
Tuesday, December 7, 2021
9:00 a.m.

Present: **Xanthippe Augerot**, Chair; **Nancy Wyse**, Commissioner; **Pat Malone**, Commissioner; **Vance Croney**, County Counsel; **Joe Kerby**, County Administrator

Staff: **Jennifer Ambuehl**, **Tally Buckovic**, **Rick Crager**, **Randy Hamlet**, Finance; **Kristin Anderson**, **Ned Harris**, **Toby Lewis**, **Greg Verret**, Community Development; **Sierra Anderson**, **Dean Barnes**, **Dawn Dale**, Sheriff's Department; **Samantha Bailey**, **Michele Bangs**, **Cari Brewer**, **Suzanne Hoffman**, **April Holland**, **Juana Little**, **Mercedes Magaña**, **Chris McFarland**, **Kailee Olson**, **Deborah Rich**, **Tyler Summers**, Health; **Chris Baillie**, **Gabrielle Dibble**, **Gordon Kurtz**, **David Malone**, **Joe Mardis**, **Joe Moore**, **Gordon Summers**, Public Works; **Leanna Buck**, **Lynne McKee**, **Nancy Swain**, Natural Areas, Parks & Events; **Teresa Farley**, **Joe Hahn**, BOC Staff; **John Haroldson**, **Shawn Lorenzi**, District Attorney's Office; **Nick Kurth**, JSIP Coordinator; **Erika Milo**, BOC Recorder

Guests: **Wayne Goeas**, **Steve Mileham**, LRS Architects; **John Harris**, Horsepower Productions; **Mitch Hein**, DLR Group; **Gary Pond**, Commercial Associates; **Jerry Weiland**, resident

Chair Augerot called the meeting to order at 9:00 a.m.

I. Opening

- A. Introductions
- B. Announcements

Augerot acknowledged that Benton County is on historical lands of the Kalapuya, Alsea, and Klickitat peoples. Descendants of these original inhabitants are still present in the Confederated Tribes of Grand Ronde Community and the Confederated Tribes of the Siletz Indians, and Benton leaders seek to honor that stewardship in decision-making.

II. *Comments from the Public

Dawn Dale, President of American Federation of State, City, and Municipal Employees (AFSCME) Local 2064: Dale explained that AFSCME contracts for 315 employees, or 61% of the Benton County workforce. On March 15, 2021, AFSCME started negotiations for a collective bargaining unit that expired June 30, 2021. Last week, the unit sent the County's last best final offer to members, who rejected the offer, authorizing the bargaining team to call an impasse. Before doing so, membership wanted to speak directly to the Board. Keeping in mind the 2040 Vision goals of equity and health, the AFSCME unit's requests included updates to old language, meeting current statutes, changes to economics, and additional language to protect workers from unsafe working conditions that resulted in a fatality during the last contract. In the previous two 4-year contracts, management did not keep its promises about creating a pay scale model that would keep employees current with market wages, similar to neighboring counties. Since the last contract, there has been 53% turnover of employees just within the unit. The 2021

inflation rate is 6.2%. Dale asked the Board to ratify AFSCME's contract by creating an environment of valuing employees, providing equity in pay and benefits, bringing wages up to market effective July 1, 2021, adding longevity pay incentives for working ten or more years, interviewing internal candidates who meet minimum job qualifications, recognizing Juneteenth as a paid holiday, and improving workplace safety language and accountability. Dale sent the Board an additional 19 letters from employees on December 6, 2021 (see packet).

Joe Moore, Chief Steward AFSCME Local 2064: After the tragic loss of Public Works employee Pete Neumann, Moore became Chief Steward to prevent a recurrence. Moore testified before the Oregon Senate Committee on Labor and Business in support of House Bill 2062 on safety standards of rental construction vehicles, which became law in 2021. The County is working to build a culture of workplace safety, yet AFSCME's proposed contract additions were largely rejected by management. The Board should address these issues as stewards of Benton County and its employees.

Kailee Olson, Executive Board Member AFSCME Local 206: Olson expressed disappointment that the County has not fulfilled its claims to prioritize equity, safety, and wellness. Olson was dismayed that some employees have not received a raise in 20 years, were not offered safety training, suffered loss of a co-worker on the job, covered management duties or multiple roles without fair compensation, were discriminated against, or were denied more training and career development opportunities. Without longevity pay, Olson finds it necessary to seek promotional raises to keep up with the cost of living. During unprecedented hardships like wildfires, ice storms, and COVID-19, employees sacrificed time, energy, and mental health. Many attribute turnover in the County to leadership that does not value employees. Olson asked the Board to make Benton County as progressive as it claims.

David Malone, Executive Board Member AFSCME Local 206: D. Malone stated that many new employees only work for Benton long enough to get experience before moving on to jobs with better wages and promotional opportunities. Management has tried for nearly a decade to implement an unfair pay-for-performance program which has eroded Benton salaries compared to other local governments. Management has introduced exceptional performance pay awards, to be determined by Department and Human Resources directors, which seems like favoritism. Directors will have to budget for awards in advance, so few will be given. AFSCME members will continue to see salaries fall behind comparable counties. Management must recognize the problem of very high turnover rate and reward experienced employees with longevity pay.

Michele Bangs, Trustee AFSCME Local 2064: Bangs stressed that the County needs to focus on the cause of staff turnover. Employees need better working conditions including safety language, career advancement and supports, more step increases, and longevity pay. Bangs has been at step 6 for years. Benton needs to value everyone equally.

Joe Hahn, Board of Commissioners - Equity, Diversity & Inclusion Program Coordinator: Hahn encouraged the Board to recognize Juneteenth (June 19) as a holiday. Celebrated since 1865, Juneteenth commemorates the emancipation of slaves in Galveston, Texas. Juneteenth is now a Federal holiday and is observed by the City of Corvallis and Oregon State University (OSU). The County should observe this holiday to show its dedication to equity, diversity, and inclusion and so residents can learn from Oregon's anti-Black history. Hahn has drafted a resolution for Board review.

Chris McFarland: McFarland expressed frustration with the County bargaining team's handling of negotiations. AFSCME members want parity with surrounding counties and to feel truly

appreciated. There is a high rate of burnout among Substance Use Counselors, resulting in a shortage in Oregon. Pay and benefits should compensate for some of the mental and emotional toll of this work. The main holdup in the new contract is longevity pay, which management refuses to entertain. Currently, an employee maxes out on salary after the fourth year, so there is little incentive to stay long-term. McFarland asked the Board to reconsider longevity pay.

Mercedes Magaña, Health: Magaña stated that many County employees do not remember their last raise and AFSCME is asking for what is fair for all County employees. Magaña recommended that the Board job-shadow with AFSCME members. The proposed contract changes would be very meaningful for staff to feel appreciated.

Gabrielle Dibble, Public Works: Dibble praised the employees of Benton County but felt they are underpaid and underappreciated. The management team has rejected AFSCME proposals and is using inaccurate comparables. Workers should not top out of salary ranges in 5-6 years. The County can ensure employees are safe, happy, and well-compensated, or keep having to recruit, hire, and train for the same positions. The County should automatically grant interviews to employees who qualify for postings. Employees want to thrive, not just survive.

Shawn Lorenzi, District Attorney's Office (DAO): Lorenzi stated that the DAO also has high turnover and staff maxing out on salary in 6 years. The County does not provide adequate cost of living increases. The DAO cannot keep or attract employees. Victim advocacy is a tough job and Benton's compensation does not match the work.

Sierra Anderson, Sheriff's Department – Emergency Services Planner: Anderson advocated for improvement of overtime compensation in the current AFSCME contract. Anderson worked nearly 400 overtime hours in 2020. Employees should be able to hold a compensation bank of 64 hours to use when schedules allow. Four Joint Information Center staff left the County after working many overtime hours with no ability to take time off. Anderson has struggled to recover from the last 18 months of work, experiencing personal costs such as missing family holidays so as to minimize the risk of infecting the team. With COVID-19 and climate disasters, the need for emergency response will be more frequent. The County needs a system that allows employees flexibility to take time off for adequate recovery, with a standardized accountability process. Please implement an equitable process for a compensation bank of worked overtime hours for AFSCME employees, comparable to the bank for Benton non-represented and Oregon Nurses Association employees.

Nancy Swain: Swain emphasized the importance of longevity pay. Now planning retirement, Swain was distressed to learn that her County wages have been below market rate for years. Swain encouraged employees to strike for better wages due to the impact on retirement.

Augerot thanked Dale for assembling the list of presenters and invited others to submit additional comment in writing.

{Exhibit 1: AFSCME Documents}

III. Review and Approve Agenda

No changes were made to the agenda.

IV. Work Session

4.1 Update from Department Operation Centers – *Suzanne Hoffman, April Holland; Health Department*

Holland explained that after about 10 weeks near 200 COVID-19 cases per week, case numbers in Benton County fell to 100 per week. The week of November 21, 2021, cases dropped to 49, putting Benton County in the ‘substantial community transmission’ category. Late last week, staff learned of a laboratory error under-reporting 136 positive tests and over 6,700 negative tests statewide, many in Benton. Due to this, about 40 cases will be added to previous case numbers throughout November 2021. After that week, cases rose to 140, partly due to the error, and partly due to holiday gatherings. Staff are not yet sure if all cases from this error have been imported into the system. Benton County testing positivity rate remains just under 2%, the lowest in Oregon. So rates are still lower than September and October 2021, but not as low as previously hoped.

Holland shared that 68.7% of all Benton County residents are fully vaccinated. In part due to Omicron, the new variant of concern, the Centers for Disease Control changed booster dose guidance on November 29, 2021, now saying all adults should get a booster dose. Twenty-five percent of vaccinated people in Benton County are boosted. The County is partnering with Good Samaritan Regional Medical Center and OSU on two drop-in vaccination events on December 15 and 16, 2021. The goal is to relieve demand on providers and pharmacies by providing several thousand doses during the holiday season. This week staff held two of seven clinics focused on 5-11 year olds, initially targeting youth with access barriers. Thirty-seven percent of all Benton 5-11 year olds have received at least one Pfizer pediatric vaccine dose, and 11% have received both doses.

Holland described actions to increase vaccine access and equity. As Benton prepared to vaccinate 5-11 year olds, Public Health Nurse Cindy D’Angiolillo worked with pediatricians and family practice doctors to enroll patients in the Samaritan Health Services hub. However, since supplies of the pediatric vaccine will be limited, Benton is also holding appointment-based drop-in clinics for 5-11 year olds without provider access. Benton ran newspaper advertisements urging people to check with providers or pharmacies, then shared the clinic calendar with schools, community partners, and community-based organizations so those groups could schedule under-served clients. The COVID-19 call center also offered direct scheduling. The remaining appointments were released to the public a few days before the clinics. Analysis by County Epidemiologist Peter Banwarth showed that Latinx children were more than twice as likely to be vaccinated at Benton County Health Clinics as White children. Data for other racial groups is smaller, but supports the same trend. The percentage could be slightly inflated due to focused outreach, but shows the important role of clinics in reaching diverse populations.

The Omicron variant may be more transmissible than previous variants and may evade some immunities including vaccination antibodies. Viruses continue to mutate while hosts are available, but public health tools are effective for preventing transmission. The best prevention is to get vaccinated and get a booster dose. Mask indoors and use caution when interacting with people outside the household. For gatherings, ask attendees’ vaccination status, invest in rapid tests, and open windows to improve ventilation.

Malone shared attending a business leadership summit where proof of vaccination was required and masking compliance was very good. Malone praised Health staff’s efforts in being flexible and reaching hard-to-reach populations.

Wyse asked about guidance on booster doses for people with breakthrough cases.

Holland recommended asking one's healthcare provider, but there is no contraindication past the infectious time period.

Augerot thanked Holland and teams and praised the well-attended vaccine clinic at Lincoln Elementary on December 6, 2021.

Kerby asked Holland to elaborate on how the lab error occurred and will be prevented in future.

Holland replied this was a manual staffing error in entering reports through the State electronic system. Oregon Health Authority found the error, contacted the lab immediately, corrected the error through immediate training, and put a check in place for incomplete lab reports.

4.2 Discuss Amendments to Supplemental Budget #22061 – Jennifer Ambuehl, Finance Services

Ambuehl presented budget amendments. In the General Fund, staff requested:

- \$1,125,000 reduction of appropriation authority in Materials and Supplies within the Coronavirus Aid, Relief, and Economic Security (CARES) Act Cost Center and the Federal Emergency Management Agency (FEMA) Cost Center, to establish transfer authority to Fund 514 for remaining costs on Kalapuya Building remodel Phase II.
- \$80,913 increase in appropriation authority in Public Safety Operations because a Department of Homeland Security grant was received after budget adoption for a radio infrastructure assessment and improvement plan for area responder agencies.
- In Health Operations, establish budget authority to spend the restricted COVID-19 funds that rolled over from the 2019-21 biennium. (Normally this cost center does not carry a beginning balance.) Staff are increasing Personal Services for the Department Operations Center staffing that was previously paid under FEMA, and there are increases in Materials and Services for testing and other supplies.
- Increase Law Enforcement (LE) overtime reimbursement in Justice Services Operations. Due to the pandemic, the program was allowed to carry over more than the standard 10% of restricted balance, so staff have increased the beginning balance to reflect actual available funds and increased overtime reimbursement per the grant agreement.

In American Rescue Plan Act (ARPA) Funds, staff propose reducing Materials and Supplies \$2,700,080 within the main cost center, allowing staff to create a \$1.28 million transfer to Fund 514, also for Kalapuya work, and establishing an internal fund transfer. Staff created new cost centers within the main ARPA Funds Cost Center to separate upcoming projects, moving \$1.5 million to the newly established Crisis Respite Center (CRC) Cost Center. Staff created the transfer to move the discretionary ARPA revenue to Fund 514 for the Kalapuya remodel, and also requested appropriation authority for projects approved under Senator Sarah Gelser for Senate District 8, including \$350,000 for wildfire evacuation routes, \$250,000 for radio repeaters for local fire departments and emergency services, and \$550,000 for a food hub through south Corvallis Economic Development. Most funding in this cost center will be new; other funds were moved to keep all projects and associated funding in one source.

Augerot noted that the \$1.5 million for a CRC was Representative Dan Rayfield's contribution.

Malone asked who receives the funds for radio repeaters.

Ambuehl replied that Benton passes the funds through to the City of Corvallis Fire Department.

Crager confirmed. Staff are working with the City on an Intergovernmental Agreement.

Ambuehl stated that the Special Grant Fund includes an internal transfer for the Micro-Enterprise Grant; this budget was established in the prior biennium, but not rolled forward because funds were never received. There is also an internal transfer of \$150,000 from Benton Opportunity Funds to Housing Assistance which is passed through to the Community Services Consortium for increased administrative costs.

In the Inter-Governmental Services Fund, appropriation authority was increased in Capital Outlay by about \$2.4 million for Kalapuya Building remodel Phase II. Those funds comes from discretionary ARPA funding and reimbursed payroll costs from CARES and FEMA that were in the General Fund. LE received a \$7,600 award from the Bureau of Justice Authority for the bulletproof vest replacement program, so appropriation authority in Public Safety was increased by that amount.

The Benton Health Center Fund received \$614,972 from the Health Resources and Services Administration for a data warehouse. Estimated cost of the project is \$875,000, so staff increased outlay by that amount, and reduced contingency by \$260,028 to provide the County's match funding. The public hearing for this amendment will be held December 21, 2021.

Chair Augerot recessed the meeting at 10:10 a.m.

Chair Augerot reconvened the meeting at 10:15 a.m.

4.3 Discussion of Fairgrounds Master Plan – Lynne McKee, Natural Areas, Parks and Events Director; Steve Mileham, Wayne Goeas, LRS Architects

Mileham explained that Goeas will be project manager. LRS Architects designed the Linn County Fair and Exposition center in Albany, Oregon and many other county master plans and/or renovations.

McKee explained that in March 2019, the Board approved an updated facilities master plan for the Benton County Event Center and Fairgrounds. Though slowed by the pandemic, staff have accomplished some projects on the list, such as turning the Pony Barn into Recreational Vehicle (RV) storage, enclosing the Solar Building, and installing a commercial kitchen. The next stage is to turn the indoor arena into an exhibit hall and cover the outdoor arena for year-round use. LRS has begun the design phase. In October 2021, staff held two stakeholder meetings and presented design concepts to Visit Corvallis and the Fair Foundation. Staff toured Linn County Exposition hall, and in November 2021, Mileham and Goeas presented designs to the Fair Board. This presentation reflects all that input.

Mileham displayed the outline of the existing arena and the area to be expanded for meeting rooms and bathrooms. There will be breakout space, a small concessions hall, and a covered vestibule for food trucks. Three exhibit halls will be separated by retractable curtains, as seen at the Linn County center. Stakeholders requested a hard wall between the lobby and exhibit space for good acoustics and physical separation. A lid on the lobby equipment platform will lengthen equipment lifespan. The facility could be locked inside but allow restroom access during outside events.

McKee added that the master plan called for breakout rooms on the north side, but after discussion, it worked better to have rooms on the east and pole hookups for food carts and RV camping on the west.

Augerot asked about acoustics if a group has a speaker in each of two halls.

Mileham explained that modern partitions called air walls would be preferable, but the existing structure cannot support that. The design is limited to the curtains, which do not provide much acoustic separation. A group could use hall A and C with an empty hall in between.

McKee added that the main goal of the exhibit hall is to maintain the larger concrete slab when a renter wants the full space. There will be air walls between the two meeting rooms that can be opened into a larger space. Air walls are not financially feasible for the large space.

Mileham noted that LRS wants to preserve the appearance of ceiling trusses, insulating the ceiling as needed. Clear paneling beside the trusses will give some acoustic separation between the rooms.

McKee shared that Paul Kincaid of Live Sound has been part of the discussion on acoustics.

Kerby asked the number of occupants for meeting rooms A and B.

Mileham replied that by code, room A can hold 164 occupants and B can hold 118 occupants.

Malone shared that some community members did not like the visible trusses, and asked about costs if trusses are visible or hidden.

Mileham replied LRS can examine both options.

McKee commented that a drop-in ceiling is more expensive than an open beam ceiling. Heating, Ventilation, and Air Conditioning (HVAC) will be set up so that each section is controlled separately. Both options can be considered as long as HVAC costs are not increased too much.

McKee explained that the existing uncovered Outdoor Arena is only used for three rodeos during the County Fair and is swampy most of year. To use the space more effectively, the Arena could be covered, with a new restroom between the Arena and the Solar Building to serve both. There is more interest in renting the Solar Building now that it is enclosed. Stakeholders showed interest in a robust arena for rodeo, which requires a lot of infrastructure. The Fair Board pared the concept back to a good compromise of services and cost.

Mileham explained that rather than fully enclosing the Outdoor Arena, which brings occupancy and heating issues, walls will be placed on the southwest sides. Most of the arena space would be dirt, with 20% of the area being concrete slab for bleachers, vendors, and accessibility. The design provides seating for almost 700 people. A ramp provides access to a level bleacher section. There is a show office and a small concessions stand. Outside the covered areas are return chutes, livestock chutes, roping chutes, and bucking chutes. In future, the covering could be expanded for livestock and additional bleachers. The livestock pen area could also be used for temporary parking. The proposed Arena space is about the size of the current one; expansion is limited by the property line and need for fire access.

McKee added that the master plan requires a Livestock Pavilion north of this Arena. RV storage would move from the current Livestock Shed to the Pavilion from September 1 to June 30, after which the Pavilion is used for 4-H activities during the Fair. One of the old RV storage sheds would be removed.

Malone asked how many rodeos the Arena hosts per year, and what the potential would be with a better facility.

McKee replied the Arena is used three nights during the Fair, and Howell Productions holds four winter rodeos per year. McKee hopes to expand that number with the available Arena, but the main focus will be equine activities such as 4-H, Oregon High School Equestrian Teams, and barrel racing.

Responding to questions from Malone, McKee confirmed that in a 2019 cost analysis, the annual subsidy for equine events in the current facility was around \$20,000 per year (4-H is a complimentary program). Any added building costs would require a larger subsidy, hence the original design was pared down.

Malone suggested convening a stakeholder committee to help with design questions and costs, and considering offers of fundraising help from arena supporters.

McKee shared that the Fair Board will vote on creating a Master Plan Subcommittee on December 20, 2021, headed by Fair Board member Rick Freeman. So far, stakeholder meetings have mainly involved arena renters, not neighbors, but the Fair Board held a public meeting and will hold another, and will bring designs back for public input. Arena drainage issues will be surveyed and addressed.

Augerot noted that given Fairgrounds proximity to Dunawi Creek, the Marys River Watershed Council (MRWC) would also like to be considered a stakeholder and is interested in working on this plan. MRWC has a memorandum of understanding with County Public Works to work on urban drainage.

Wyse asked McKee why the Fair Board recommended against moving forward with this phase.

McKee replied that Markin Consulting did the original master plan. Markin submitted a proposal for \$11,500 to update the market demand study post-COVID-19. The Fair Board recommended against spending the money. McKee asked if the Board also supports that recommendation.

MOTION: Malone moved to direct staff and LRS Architects to proceed with the architectural design phase of the Benton County Event Center & Fairgrounds exhibit hall and covered arena based on work session discussions. Wyse seconded the motion, which **carried 3-0.**

Augerot recommended involving neighbors of the Fairgrounds as well.

4.4 *Discussion of Possible Financing Strategy in Relation to New Courthouse in Regards to the Justice System Improvement Project (JSIP) – Nick Kurth, JSIP Program Manager; Rick Crager, Chief Financial Officer

Chair Augerot recessed the meeting at 11:25 a.m.

Chair Augerot reconvened the meeting at 11:30 a.m.

Referring to a slide (exhibit 2), Kurth explained that the State awarded \$20.4 million in matching funds for a new courthouse (NCH) through the Oregon Courthouse Capital Construction and Improvement (OCCCI) fund. This was based on Benton's former May 2022 bond measure date. With the bond moved to May 2023, the County can no longer use the bond measure proceeds for its match. The State is ready to draft a funding agreement with the County in preparation for the State's March 2023 general obligation bond sale (source of OCCCI funds). The State is aware that the County's bond date changed. The County agreed to reach a new decision by the end of 2021 and inform the State immediately after the New Year. OCCCI funds can only be used for an NCH, not for a District Attorney's Office (DAO) facility (estimated at an additional \$16 million). The Board recently decided the DAO should be located in the proposed NCH complex.

It is possible to advance the NCH and have a separate DAO dependent on passage of the bond measure, in either a suburban or downtown location. A flexible design could be submitted for permits, so the DAO could be withdrawn if the bond fails, or the County could have two sequential permits. NCH and DAO would be designed independently, with separate egress systems and foundations, which is moderately more expensive than a single building, but manageable. Architects DLR Group can submit alternate designs.

Augerot noted that a separate building for the DAO could raise concerns about security and access into the courthouse, and asked if a second building inside the same envelope would be preferable.

Hein replied that DLR can design the DAO structure as if it is a future wing; although it would be a separate structure, all security considerations could still operate as if in a single building.

Kurth explained that the County must show the State that it can self-fund, but a down-payment is not required. According to David Moon, Oregon Justice Department (OJD), the State just needs a commitment, such as a letter from the Board showing the County's strategy and light financial analysis of the County's borrowing sources and ability to service the debt. Then the County would show commitment by entering the design phase. The County may reimburse itself from the bond measure for some or all of the NCH self-funding. Self-funding opens the possibility of funding other JSIP elements if the bond measure succeeds and the County can reimburse the NCH funding. For instance, if the County were comfortable self-funding \$25 million and a polling showed stronger public support for the NCH/DAO than a Correctional Facility (CF), then if the bond included full \$36 million for NCH/DAO and only \$25 million for CF (half its cost) and that passed, the County would reimburse itself for all the CH/DAO funding, have \$25 million for part of the CF, and self-fund the CF remainder. The Board has until the end of 2021 to decide whether to self-fund at least the NCH, or re-phase the project and return to the Legislature for a re-appropriation of the OCCCI funds.

Kurth outlined four funding options which Crager has analyzed:

1. Do nothing, do not self-fund, re-phase the whole project and re-apply. Cost: \$0.
2. Self-fund the County's half of the design piece, re-phase, and re-apply for matching funds for construction implementation. Cost: \$1.5 million.
3. Self-fund the County's proposed match for NCH, make DAO bond dependent. Cost: \$20 million.
4. Self-fund both NCH and DAO. Cost: \$36 million. (Options 3 and 4 do not require returning to the Legislature for matching funds.)

Crager sent a summary of this analysis and a spreadsheet to the Board this morning (**exhibit 2**). Crager discussed a worst-case scenario of how the County could completely self-fund options 2-4, assuming the County would receive the \$20.4 million through general obligation bonds from the State and that there was no County bond measure. Borrowing rates are at historic lows, around 2-2.5% interest over 25-30 years. The County's interest rate risk is fairly low; Crager estimated 6-12 more months of low interest rates. Crager examined flexible resources such as unrestricted general fund balance (reserves) and discretionary General Fund revenues such as property tax, landfill charges, and the Transient Lodging Tax. Moody's Credit Ratings suggest having at least 30% of one's total annual discretionary revenues available. Benton County's history shows non-volatility, meaning the County can take some risk. The spreadsheet shows forecasts of funding balance or reserves performance over time. The County has seen historic growth in fund balance; Crager conservatively estimated 7%. The County has some debt in pension obligation bonds which ends in 2028, bringing savings from General Fund revenues. If the County borrows nothing, the organization is well leveraged, with 75.64% of discretionary revenues available for the current biennium, versus the 30% recommendation. That rate increases substantially over time. Option 1 presents no financial risk, but the risk for options 1 and 2 is the need for re-authorization of the State General Obligation Bonds. OJD has told Kurth that the County can get reauthorization in 2023-25, but reimbursement is never a guarantee, and other projects will be competing for the funds. Crager expressed unease about that element.

Option 2 assumes the County mainly focuses on design, assuming that the County would pay \$1.5 million and take part of the State funding commitment. This is very minimal risk for the County, with no need to borrow, leaving 70% of discretionary revenues available.

Option 3 assumes the County self-funds \$20.4 million for the NCH, then fully leverages State resources for that portion. Crager modeled is a 20-year bond at about 2.65% interest, which still leaves around 51.75% of discretionary revenues available, a moderate risk.

Option 4: adding \$16 million for the DAO. A 20-year bond would be a very low percentage which the Board would probably not be comfortable with; Crager forecast a 30-year bond of moderate to high risk, with the lowest amount of revenues available around 42%. The Board's appetite for risk can be discussed more in future. Interest rates would be about 3.02%, still fairly affordable.

Crager will continue with more precise estimates, but the County has generally shown better returns than Crager forecast. With Option 3 or 4, the County would not need to acquire a 30-year note until early 2023, and could instead seek short-term financing or use its own capital to focus on Phase I and II, around \$8 million. Crager noted that if the County fully self-funds, it will not have future self-funding abilities, meaning no flexibility for other priority projects, especially with Option 4. The County has this opportunity because it has been prudent and financially conservative.

Malone noted that the County has low debt in part due to delaying infrastructure improvements; it is time to increase debt to improve facilities. Malone preferred to keep the current State funding rather than depend on future funding.

Augerot shared that Representative Dan Rayfield would prefer that the County not reschedule the general obligation bond sale, and would prefer to help the County with other projects to ensure maximum flexibility.

Crager agreed that the County should preserve the State funds this biennium.

Haroldson expressed concern that today the DAO is being discussed as separate from the NCH, yet at the November 23, 2021 Board Meeting, the Board voted to include the DAO in the NCH or connected to the NCH in terms of security and systems. Separation is not best practice and contrary to State statute.

Augerot felt the ideal would be a DAO building separate from but attached to the NCH, with a functional connection, which would have the operational effect of being one facility. But from an operational and finance standpoint, that is not ideal. The County must be flexible about funding. County residents can only bear so much, there are external timelines, and compromises may be necessary in order to have the NCH, new DAO, and new CF, all of which are urgently needed. The Board only needs to provide direction today, but does need to decide before the end of 2022. Augerot asked Hein about other sites which used this approach.

Hein did not have specific examples, but there is no operational difference whether facilities are designed and built in one phase, or in multiple phases. Either way there will be an array of courts with the DAO on another floor or adjacent.

Haroldson felt that concept aligned with the Board's previous discussion.

Kerby assured Haroldson that the County is simply exploring options. This discussion does not deviate from the Board's decision to co-locate the DAO with the NCH.

Malone felt uneasy relying on future legislative funding, ruling out Option 2, and felt more comfortable with Option 3, but could consider Option 4 with more information.

Augerot also preferred Option 3 at this time.

Wyse did not like Options 1 and 2 due to higher risk, and preferred Option 3, along with being flexible about the contents of the bond.

Regarding other funding the County may need, such as Fairgrounds improvements, Kerby asked whether the County should package its borrowing for self-funded projects, or look at these needs separately.

Crager replied this analysis focused on the amount of debt the County can sustain, rather than recommendations about facilities. Option 4 is worst-case; if the County must finance all of JSIP over 30 years, the County will have much less financial flexibility for a long time. With Option 3, the County could still do some other projects. The County might be willing to go with 40% of discretionary funds available (for an additional \$16 million for other priorities). It is always better to package projects to avoid multiple costs of issuance. Between now and fall 2022, the County should be thoughtful about which element to self-fund to leverage the \$20 million, and what can be added.

Kerby pointed out that the County planned to use the Transient Lodging Tax to self-fund Fairgrounds improvements, or borrow and use that revenue to cover annual debt service.

Crager noted that \$6-8 million could probably be leveraged from reserves for smaller projects and still keep the County at 50% of discretionary funds or above, it is just more efficient to do it all at once.

Wyse asked whether it is better to self-finance the DAO building with the NCH at the beginning, rather than as a backup for bond failure.

Crager replied it is preferable to finance the elements simultaneously.

Wyse asked if the County could self-fund both elements and reimburse itself from the bond.

Crager replied this would be ideal. If both elements are in the bond and the bond passes, then the County has full capacity for something else, such as funding part of the CF.

Augerot noted that the debt could be put off for another year, but Augerot would prefer that decision be made in time to know the County's messaging content, and after the next round of community engagement, to know community's interests and opinions on the bond contents.

Crager concurred. Since OJD does not need a cash commitment yet, the County can move ahead with short-term financing needs.

Kurth asked if the Board was comfortable committing to Option 3, so that Crager, Kurth, and Counsel could re-engage with the State on the funding agreement.

The Board expressed a preference for Option 3.

Kurth will meet with the Association of Counties-OJD Court Facilities Task Force on December 9, 2022 and will share that discussion with the Board.

Malone asked if a motion was necessary.

Counsel replied that a motion was not necessary until the County received a draft from OJD.

{Exhibit 1: JSIP Presentation on New Courthouse}

V. Consent Calendar

5.1 Approval of the October 26, 2021 Tuesday Board Meeting Minutes

Augerot noted that the phrase "Benton County Foundation" in the minutes should be amended to read "Benton Community Foundation."

MOTION: Wyse moved to approve the Consent Calendar of December 7, 2021 as amended. Malone seconded the motion, which **carried 3-0.**

Public Hearing

PH 1 In the Matter of a Public Hearing and Potential First Reading Amending Benton County Code Chapter 31 – Enforcement, Ordinance No. 2021-307 – Gordon Kurtz, Public Works; Greg Verret, Community Development

Chair Augerot opened the public hearing at 11:07 a.m.

Staff Report

Kurtz explained that the County is changing code so that enforcement of illicit discharges and permit violations is the same as other County enforcement, based on Department of

Environmental Quality requirements. The changes will meet National Pollutant Discharge Elimination System permit requirements and streamline Chapter 31.

Verret added that the proposed code will expand the definition of enforcement officers, establish a framework of escalating enforcement procedure, and add another tool for enforcement, the voluntary compliance agreement, which is less punitive but provides clear, enforceable expectations.

Public Comment

No comment was offered.

Chair Augerot closed the public hearing at 11:12 a.m.

MOTION: Malone moved to conduct the first reading of Ordinance No. 2021-0307, amending Chapter 31 of the Benton County Code. Wyse seconded the motion, which **carried 3-0.**

Counsel read aloud the Ordinance (short title). Second reading will occur on December 21, 2021, to take effect 30 days thereafter.

PH 2 In the Matter of a Public Hearing Approving an Annexation of Territory into the Hoskins-Kings Valley Rural Fire Protection District (RFPD), Weiland and Estrada – Joe Mardis, Public Works

Chair Augerot opened the public hearing at 11:14 a.m.

Staff Report

Mardis explained that the petition was submitted by property owners Weiland and Estrada, whose property sits on the border of Benton and Polk Counties. The owners chose Hoskins-Kings Valley RFPD, which endorsed the petition. Under Oregon Revised Statutes 198 and 478, the owners would benefit from the protection and are compliant with Benton County Code.

Public Comment

Weiland noted that Polk County has refused to cover this area due to old boundaries.

Chair Augerot closed the public hearing at 11:18 a.m.

MOTION: Malone moved to approve Order #2021-081 for the annexation of territory into the Hoskins-Kings Valley RFPD by the authority of ORS 198 and 478. Wyse seconded the motion, which **carried 3-0.**

VI. Old Business

6.1 Approval of the May 28, 2019 Tuesday Board Meeting Minutes

MOTION: Malone moved to approve the May 28, 2019 board meeting minutes. Augerot seconded the motion, which **carried 2-0.** Wyse abstained.

VII. Departmental Reports and Requests

7.1 Discussion and Decision to Approve Order #D2021-079A Revising Fees for

Permits, Applications and Services Provided by the Community Development (CD), Natural Areas, Parks and Events (NAPE) and Public Works (PW) Departments – *Greg Verret, Community Development; Lynne McKee, Natural Areas, Parks and Events; Gary Stockhoff, Public Works*

Verret explained that staff propose a 5% across-the-board increase for inflation and increased costs, with a few exceptions. There was a large increase to the subdivision application fee based on a recent application which required much more staff time than the current fee captured.

MOTION: Wyse moved to approve Order #D2021-079A setting fees for Community Development, Natural Areas, Parks & Events, and Public Works for 2022. Malone seconded the motion, which **carried 3-0.**

VII. Other

Chair Augerot entered Executive Session at 12:43 p.m. under ORS 192.660(2)(e) – Real Estate Transactions and ORS 192.660(2)(d) – Labor Negotiations.

Chair Augerot exited Executive Session at 3:26 p.m. and immediately resumed the regular Board Meeting.

VIII. Adjournment

Chair Augerot adjourned the meeting at 3:26 p.m.

DocuSigned by:

66E4Q5FE8021469...
Xanthippe Augerot, Chair

DocuSigned by:

736EA4FEB0B0496...
Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

	AFSCME (Open Bargaining Items - 8/19/21)	BENTON COUNTY (Last Mediation Offer)
ARTICLE #7 - HOURS OF WORK AND OVERTIME	Section 7.6. Overtime Premium. Except when a flex schedule is mutually agreed to under Section 7.3, an overtime eligible (FLSA non-exempt) employee shall be paid or granted compensatory time off at the Employee's discretion at one and one-half (1-1/2) times their regular rate of pay for all time worked in excess of forty (40) hours in any scheduled workweek. All hours under County paid status shall apply. Payments from non-County sources, including but not limited to workers' comp and long-term disability, shall not constitute salary paid by County. Accrued compensatory hours shall not exceed eighty (80) hours. Compensatory accruals in excess of eighty (80) hours shall be paid in the period earned. Employees who have reached their maximum 80 hours of compensatory time can request a three-month extension of the maximum rate in order to take the leave rather than lose it. Extensions to the maximum accrual may be approved by the Human Resources Director when requested in writing by the employee's Department Director. Exceptions may be approved a maximum of once each fiscal year.	Section 7.6. Overtime Premium. Except when a flex schedule is mutually agreed to under Section 7.3, an overtime-eligible (FLSA non-exempt) employee shall be paid or granted compensatory time off at the County's discretion at one and one-half (1-1/2) times their regular rate of pay for all time worked in excess of forty (40) hours in any scheduled workweek. All hours under County paid status shall apply. Payments from non-County sources, including but not limited to workers' comp and long-term disability, shall not constitute salary paid by County. Accrued compensatory hours shall not exceed eighty (80) hours. Compensatory accruals in excess of eighty (80) hours shall be paid in the period earned. It is the intent of the County that employees will not be required to work schedules that do not provide at least twelve (12) hours rest between shifts on an on-going or routine basis. The County pledges that the frequency of such occurrences will not exceed past practice, and will be discouraged whenever possible.
	Section 7.18. FLSA Exempt Flex Time. Fair Labor Standards Act exempt employees shall be allowed to flex their work schedules across pay periods subject to the operational needs of the Department. Any hours worked pursuant to Sections 7.8, 7.9 and 7.10 shall not be eligible for FLSA exempt flex time. FLSA exempt flex time is not compensable. The three (3) FLSA-exempt employees currently receiving personal leave will be grandfathered in until separation. (Note: this can be replaced with an LOA attached) When the need of the County requires exempt employees to work over 40 hours in a work week, the following shall apply: 1. Each hour over 40 hours per work week shall be compensated at the rate of one hour of compensatory time off. 2. Accrued compensatory hours, not to exceed limits and payout, will follow the same guidelines as Section 7.6 including the 64 hour cap.	Section 7.18. FLSA Exempt Flex Time. Fair Labor Standards Act exempt employees shall be allowed to flex their work schedules across pay periods subject to the operational needs of the Department. Any hours worked pursuant to Sections 7.8, 7.9 and 7.10 shall not be eligible for FLSA exempt flex time. FLSA exempt flex time is not compensable.
	Section 7.***. Notification of Unplanned Absence All notice requirements for unplanned absences for specific a workgroup or department will be in writing and accessible by all employees expected to follow them.	Section 7.***. Notification of Unplanned Absence In the absence of more specific written notice requirements, employees must contact his/her supervisor, via email, phone call or text (as directed), a minimum of 2 hours before the scheduled shift
ARTICLE #8 - HOLIDAYS	Section 8.1. Holidays X. Juneteenth on June 19 Added	County rejects adding the additional holiday
	Section 8.7. Holiday Work. Any member of the bargaining unit who is required to work on any of the holidays listed in Section 8.1 shall have the option to be paid or granted paid compensatory time off as follows: C. Compensatory time earned may be used on a date mutually agreed to by the employee and their supervisor. Management will make every reasonable effort to allow employees required to work holidays the option of using that comp leave as close to the holiday as possible. This Section shall apply when the employee is required to work on the day designated and observed as the holiday pursuant to Sections 8.4 and 8.5.	Section 8.7. Holiday Work. Any member of the bargaining unit who is required to work on any of the holidays listed in Section 8.1 shall be paid or granted paid time off at the County's discretion as follows: C. Time off earned may be used on a date mutually agreed to by the employee and their supervisor. The County will make a reasonable effort to allow employees required to work holidays the option of using the paid time off as close to the holiday as possible. This Section shall apply when the employee is required to work on the day designated and observed as the holiday pursuant to Sections 8.4 and 8.5.
ARTICLE #9 - LEAVE DUE TO DISASTER OR ADVERSE WEATHER CONDITIONS	Section 9.4. Emergency Personnel Defined. In the event of inclement weather, curtailment of County operations, office closure, or other emergency situations, Department Directors shall designate which employees are to continue to work as designated emergency personnel, using the following criteria: A. The Department Head shall designate as emergency personnel only those employees whose job assignments are reasonably related to preserving critical services, public order and public safety. B. All such designations shall be in writing and forwarded to the payroll office as soon as possible following the designation of emergency status. Emergency Personnel required to report to or remain at work in the event of a closure due to inclement weather will receive an additional premium of five (5%) base hourly pay for hours worked.	Section 9.4. Emergency Personnel Defined. In the event of inclement weather, curtailment of County operations, office closure, or other emergency situations, Department Heads shall designate which employees are to continue to work as designated emergency personnel, using the following criteria: A. The Department Head shall designate as emergency personnel only those employees whose job assignments are reasonably related to preserving, critical services, public order and public safety. B. All such designations shall be in writing and forwarded to the payroll office as soon as possible following the designation of emergency status.
ARTICLE #10 - VACATION LEAVE	Section 10.xx. Notice to Employees Nearing Their Vacation Maximum Accrual The County will continue the process of notifying employees by email when they are within 4 pay periods of reaching their maximum vacation accrual. For the duration of this contract period and in the event that a notice is not sent out, employees will be given additional time to use vacation accrued hours before losing them. During the current contract period, the Union and the County will work together to ensure that all employees are instructed how to track their own vacation accruals in the ESS system.	Section 10.4 Notice to Employees Nearing Maximum Accrual The County will continue to notify employees, until December 31, 2021, by email when the employee is within four (4) pay periods of reaching their maximum vacation accrual. In the event that a notice is not sent out by December 31, 2021, employees will be given additional time to use vacation accrued hours before losing them. Prior to December 31, 2021, the Union and the Employer will work together to ensure that all employees are instructed on how to track their own vacation accruals in the time entry system. After December

	AFSCME (Open Bargaining Items - 8/19/21)	BENTON COUNTY (Last Mediation Offer)
ARTICLE #12 - OTHER LEAVES OF ABSENCE	12.xx Oregon Paid Family & Medical Leave Law As soon as final rules are determined for the new Oregon Paid Family and Medical Leave Law, the parties will schedule a time to meet to bargain any impact of the new law including but not limited to the use of accrued leave to 'top off' paid leave time.	County rejects adding this language
ARTICLE #13 - WAGES AND SALARIES	Section 13.2. Wages. AFSCME salary ranges are comprised of seven (7) steps. Employees who reached Step 6 of the previous salary range as of July 1, 2021 will be moved to Step 7 as of July 1, 2021. Employees whose anniversary date occurs between July 1, 2021 and the ratification of this contract will be moved to Step 7 upon ratification. The moves to Step 7 on July 1 2021 or at ratification will not alter existing anniversary dates. 1. Effective July 1, 2021: A 3.5% adjustment will be applied to the current steps 1-6 of the AFSCME salary schedule and selective market adjustments equivalent to the following will be made: a. Civil Engineer C43M to C44M b. Health Navigator B21 to B22 c. Road Maintenance Worker 3 B22 to B23 d. Records Specialist B21 to B22 e. IT Specialist 2 B22 to B24 f. IT Systems Administrator C43 to C44 g. Juvenile Outreach Specialist B22 to B23 h. Crime Victim Advocate 1 B21 to B22 i. Crime Victim Advocate 2 B22 to B23 j. Dental Hygienist B2/premA to B24F k. IT Analyst 1 C41 to C42 l. Building Inspector B25-B25F m. IT Network Administrator C43 to C44 2. Effective July 1, 2022: A 3.5% adjustment will be applied to the current steps 1-7 of the AFSCME salary schedule. 3. Effective July 1, 2023: A 3.5% adjustment will be applied to the current steps 1-7 of the AFSCME salary schedule.	Section 13.2. Wages AFSCME salary ranges are comprised of eight (8) merit steps. For those employees whose anniversaries occurred since July 1, 2021 and who met eligibility for a merit step per Section 13.3, steps 7 or 8, as appropriate, will be made retroactively to their anniversary. 1. Effective July 1, 2021: A three and one-half percent (3.5%) adjustment will be applied to steps 1-8 of the AFSCME salary schedule and selective market adjustments equivalent to the following will be made: a. Dental Hygienist B2/premA to B24MEC b. IT Analyst 1 C41 to C42 c. Building Inspector B25-B25MEC d. IT Service Desk B22 - B22MAEN, e. Engineers Class Series 4%, Associates, Engineers & Surveyors, County Surveyors, and Sr. Engineers. 2. Effective July 1, 2022: a. A three percent (3.0%) adjustment will be applied to steps 1-8 of the AFSCME salary schedule. 3. Effective July 1, 2023: a. A three and one-quarter percent (3.25%) adjustment will be applied to steps 1-8 of the AFSCME salary schedule.
	13.4 Overpayments and Payments in Violation of Contract A. Any employee receiving unauthorized payments has the obligation to call such error to the attention of his or her supervisor once the overpayment is discovered. The employee retains all rights granted to them in ORS 652.610(3). B. Payments in Error: When an employee receives payments due to a clerical, technical, or computer error, through no fault of the employee and where the employee did not and could not reasonably have known that the error occurred, the employee will only be liable for and the County will not attempt to recover the overpayment for more than a period of one-hundred and eighty (180) calendar days preceding the date of discovery of the error. C. Repayment to the Employee: When an error occurs, which results in a negative impact on the employee, upon notification by the employee, and verification by the payroll division, payment in correction of the error shall be made in the employee's paycheck for the current pay period.	13.4 Overpayments and Payments in Violation of Contract Any employee receiving unauthorized payments has the obligation to call such error to the attention of his or her supervisor once the overpayment is discovered. A. Unauthorized Overpayments: Any employee who receives payments to which he or she is not entitled, including but not limited to premium pay, shift differential, overtime pay, step increases, or any other salary, wage, or reimbursement which is not authorized by this contract or County Personnel Rules, and which the employee knew or reasonably should have known he or she was not entitled to receive, shall reimburse the County for the full amount of the overpayment. B. Payments in Error: When an employee receives payments due to a clerical, technical, or computer error, through no fault of the employee and where the employee did not and could not reasonably have known that the error occurred, the employee will only be liable for and the County shall only recover the overpayment for a period of one-hundred and eighty (180) days
	Section 13.x Longevity Pay. Employees who have worked for Benton County for a period of ten (10) years or more shall receive an increase of 1.5% to their salary. For employees who have worked for Benton county for a period of fifteen (15) years shall receive a total increase of 3% to their salary. For employees who have worked for Benton County for a period of twenty (20) years or more shall receive a total increase of 4.5% to their salary.	County rejects adding this language
	Section 13.7 Working Out of Classification/Lead Work A. An employee assigned the major duties and responsibilities of a higher classification shall receive compensation at step 1 of the higher classification, or a 5% increase in their base compensation, whichever is greater, provided such assignment is designated by the supervisor or manager and providing that the assignment is planned to extend, or actually extends, for more than three (3) continuous working days. In no case, however, will work out of class (WOC) pay be more than the top step of the higher classification. The County will not rotate these assignments for the purpose of avoiding work out of class pay. If the employee is assigned lead work, and that lead work is not among the major duties and responsibilities of a higher classification within the employee's band, the employee shall receive a 5% increase in their base compensation.	Section 13.7 Working Out of Classification/Lead Work A. An employee assigned the major duties and responsibilities of a higher classification shall receive compensation at step 1 of the higher classification, or a 5% increase in their base compensation, whichever is greater, provided such assignment is designated by the supervisor or manager in writing , and providing that the assignment is planned to extend, or actually extends, for more than three (3) continuous working days. In no case, however, will work out of class (WOC) pay be more than the top step of the higher classification. The County will not rotate these assignments for the purpose of avoiding work out of class pay. If the employee is assigned lead work, and that lead work is not among the major duties and responsibilities of a higher classification within the employee's band, the employee shall receive a 5% increase in their base compensation. This Section shall not apply

	AFSCME (Open Bargaining Items - 8/19/21)	BENTON COUNTY (Last Mediation Offer)
	Section 13.12 Tool Replacement and Safety Employees regularly assigned to perform the duties of a fleet mechanic in the Maintenance and Operations classification series must supply their own basic tools and equipment. A list of basic tools will be provided to new Fleet Mechanics upon hire. Personal tools or equipment shall be in good repair at the time of employment or when this Agreement becomes effective. The County will provide any specialty tools or equipment. The County shall provide a tool and equipment allowance to the employees in the amount of six hundred and fifty dollars (\$650) per fiscal year. This amount shall be paid in the first pay period of each fiscal year. Mechanics appointed to their position mid-year shall be paid a prorated tool allowance amount. Rechargeable batteries and all consumables (drill bits, abrasives etcetera) used by mechanics for the Fleet Mechanics' tools will be replaced by the County. The County will ensure that all tools it provides for use by Fleet Mechanics are maintained in a safe condition, replaced when necessary to ensure safety and updated when necessary. Fleet Mechanics will be allowed reasonable time on their scheduled shift to clean and maintain their personal equipment they use for County Fleet work and will be allowed this time without a negative impact on their performance evaluation.	Section 13.12 Tool Replacement Employees regularly assigned to perform the duties of a fleet mechanic in the Maintenance and Operations classification series must supply their own tools and equipment unless required tools or equipment are unique to the County's work requirements. Personal tools or equipment shall be in good repair at the time of employment or when this Agreement becomes effective. The County will provide any specialty tools or equipment. The County shall provide a tool and equipment allowance to the employees in the amount of six hundred and fifty dollars (\$650) per fiscal year. This amount shall be paid in the first pay period of each fiscal year. Mechanics appointed to their position mid-year shall be paid a prorated tool allowance amount. The County assumes no responsibility whatsoever for the use of personal tools, unless the County specifically authorizes their use in writing. Personal tools specifically authorized by the County will be listed on an approved inventory list and shall be replaced if reported to law enforcement as stolen.
	13.13 Exceptional Performance Pay In recognition of the risks hundreds of County employees took to keep Benton County's essential services running during the COVID 19 pandemic, all employees who reported to a County worksite and worked at least 600 mandatory, in person hours between March 16, 2020 and June 30, 2021 will be awarded a one-time payment of \$1500 for their service and increased risk during the global COVID 19 pandemic. These awards will not affect the employee's eligibility for, or timing of, the employee's annual anniversary merit increase. In addition to this one time recognition of workers serving the community in person during COVID, the County may also recognize one outstanding employee from the bargaining unit regardless of whether they worked in person or from home during COVID.	13.13 Exceptional Performance Pay An employee may be awarded up to two thousand, five hundred dollars (\$2,500) for Exceptional Performance Pay at the written request of the Department Director with the prior approval of the Human Resources Director. The request will describe in detail the nature of the exceptional job performance on which the pay is based, indicate the amount proposed, and specify the source of the funds. The award may be based on sustained superior performance or an exceptional achievement or contribution during the preceding twelve-month period. Such awards will not affect the employee's eligibility for, or timing of, the employee's annual anniversary merit increase. Eligibility for the lump sum award shall be solely at the discretion of the Department Director but must
ARTICLE #14 - HEALTH AND WELFARE	Section 14.1. Medical/Vision/Dental. The Union and the County agree to partner between ratification and the 2022-2023 open enrollment period to outreach to and engage with members about the benefits of the health care options and provide all members the tools necessary to make informed decisions about the plans. The parties may by mutual consent agree to reopen this article for bargaining prior to the 2022-2023 open enrollment period.	County wants to eliminate the Traditional Plan and only offer the Consumer Driven High Deductible Plan (CDHDP)
	County Insurance Opt Out The County shall contribute \$225 per month to a HRA, VEBA or HSA account for each fulltime employee who opts out of all County-sponsored health benefit plans (medical, vision, and dental). Part-time career employees will receive a proration of the \$225 based upon the insurance calculations for part-time employees as described in 6.3 of this contract. To be eligible for this opt out provision, all of the following conditions must be met: To be discussed.	County rejects adding this language
	Section 14.6. Deferred Compensation Plan. The County will contribute three percent (3%) of an eligible employee's base pay into the employee's designated account.	Section 14.6. Deferred Compensation Plan. The County will contribute one and one-half percent (1.5%) of an eligible employee's base pay into the employee's designated account.
	Section 14.8. Employee Assistance Program. The Employer will provide an EAP package to employees that provides no less than six annual counseling sessions per qualifying situation.	County rejects adding this language
ARTICLE #16 - SENIORITY	Section 16.8. Filling of Vacancies. Any current County employee who applies for a County job in which they meet minimum requirements will receive an interview	County rejects adding this language
ARTICLE #18 - SAFETY	Section 18.1. Safety Rules Generally. The County will make good faith efforts to resolve employee safety concerns and will make reasonable efforts to maintain safe working conditions and equipment for all employees. The County shall not discipline or in any manner discriminate against any employee who, in good faith and for good cause, reports the existence of an unsafe condition or practice to management, OSHA, the Union or other agency. The County will continue to offer safety training during new employee orientation and provide annual emergency response and personal safety training to all employees. This training will include, but is not limited to, fire drills, fire extinguishers, active shooter, earthquake, and emergency action plans. The County will make every reasonable effort to provide members an emergency notification system and/or panic buttons in all Benton County Buildings as soon as possible and not later than March 31, 2022.	Section 18.1. Safety Rules Generally. The County will make good faith efforts to resolve employee safety concerns and will make reasonable efforts to maintain safe working conditions and equipment for all employees. The County shall not discipline or in any manner discriminate against any employee who, in good faith and for good cause, reports the existence of an unsafe condition or practice to management, OSHA, the Union or other agency. Employees shall comply with all County-wide and departmental safety rules that are in force and effect on the date of the signing of this agreement, or may thereafter become effective during the term of this agreement. Employees shall report all unsafe acts or conditions to their supervisors when such acts or conditions occur and the County will decide if the employee should continue with that assignment. The County shall inform all members of the bargaining

	AFSCME (Open Bargaining Items - 8/19/21)	BENTON COUNTY (Last Mediation Offer)
	Section 18.xx. Immediate Safety Concerns. When an employee directly or through their Union Steward notifies their Supervisor or Manager that they believe a work assignment will cause an immediate danger to themselves or the public, that supervisor or designee will notify the County's Safety Program Coordinator and the Safety Program Coordinator will decide if that Employee should continue with that assignment. The employee will not suffer a loss of pay while this process is conducted. If the Employee still believes that the work assignment continues to be unsafe and pose an immediate physical danger to themselves or the public, the Employer will request the assistance of the County's workers compensation insurance provider or other mutually agreed third party. Any report or recommendation(s) issued by the Workers' Compensation insurance provider representative or agreed upon third party shall be immediately taken to resolve the problem.	18.2 Immediate Safety Concerns No employee shall be expected to operate any equipment or to perform any work assignment that would cause imminent or immediate danger to themselves or the public, and would reasonably be considered to be unsafe by a normally prudent person. Employees shall report all unsafe acts or conditions to their supervisors when such acts or conditions occur and the County will decide if the employee should continue with that assignment. If substantiated by the County, the unsafe condition shall be remedied. Nothing shall prevent the employee from reporting the immediate safety concern to the appropriate safety agency. The County will continue to offer safety training during new employee orientation and provide annual emergency response and personal safety training to employees. Examples of such training include, but are not limited to, fire drills, fire extinguisher, active shooter, earthquake, and emergency action plans.
	Section 18.2. Uniforms and Protective Clothing. If an employee is required by the County to wear a uniform, protective clothing, protective device, it shall be provided to the employee by the County, however, such uniform, protective clothing, or device shall remain the property of the County. If special shoes, work boots, glasses, or other equipment is recommended or required by the County, the County shall pay the additional cost appropriate to such equipment, and the Department Head shall determine this cost. The County retains the right to pre-approve purchases and to designate vendors	Section 18.2. Uniforms and Protective Clothing. If an employee is required by the County to wear a uniform, protective clothing, or protective device, it shall be provided to the employee by the County, however, such uniform, protective clothing, or device shall remain the property of the County. If special shoes, work boots, glasses, or other equipment is required by the County, the County shall pay the additional cost appropriate to such equipment, and the Department Head shall determine this cost. The County retains the right to pre-approve purchases and to designate vendors.
	18.XX Safety Committee The County's Departmental Safety Committees shall be composed of equal representation from labor and management of the County. At least one employee representative from the Union will be appointed by AFSCME Local 2064 to serve on the Executive Safety Committee or any County-wide safety committee. The County will keep updated the roster of Individual Safety Committee members on the Bee. The County shall also maintain 3 years of minutes for each of the Safety Committees accessible to any Union member for review. In the event the County modifies its County-wide or departmental Safety Committee structure, the parties will meet to determine the Union's roles and participation in the new structure.	18.3 Safety Committee At least one employee representative from the Union will be appointed by AFSCME Local 2064 to serve on a Safety Committee. The County shall also maintain 3 years of minutes for each of the Safety Committees accessible to any Union member for review.
ARTICLE #20 - DISCIPLINE	Section 20.x Discipline Process and General Policy Disciplinary action may be imposed upon an employee only for just cause using the principles of progressive discipline. Disciplinary actions and measures shall include only the following: documented oral reprimand, written reprimand, suspension, demotion, or discharge. Section 20.1. Progressive and Corrective Discipline. Progressive discipline will normally start with an oral reprimand. An oral reprimand is defined as a corrective action, which will result in a written record to the employee's Personnel file. The County shall neither discipline nor discharge post-probationary employees without just cause	Section 20.1. Progressive and Corrective Discipline. The County agrees with the tenets of progressive and corrective discipline, when appropriate. Progressive discipline will normally start with an oral reprimand. Disciplinary actions and measures shall include only the following: oral reprimand, written reprimand, suspension, demotion (which could also include a temporary salary reduction), and discharge. An oral reprimand is defined as a corrective action, which will result in a written record to the employee's Personnel file. The County shall neither discipline nor discharge post-probationary employees without just cause.
	Section 20.5. Notice to Union. When a union member is sent notice of an investigatory or disciplinary meeting, the Union President and Chief Steward shall receive a copy at least 48 hours before the scheduled meeting unless the member requests that notice not be sent to the Union. That notice will include the charges or allegations which may subject the employee to discipline if known. At the conclusion of any investigatory meeting involving a member of the collective bargaining unit, that was represented by a Union Steward, Human Resources will follow up with a written summary to the Union Chief Steward of facts that will lead to disciplinary action or that the case was dismissed.	Section 20.5. Notice to Union. When any written disciplinary action is received by Human Resources that affects any member of the collective bargaining unit, a copy will be forwarded to the Union within three (3) working days of receipt thereof, unless the affected employee specifically objects.
ARTICLE #21 - MISCELLANEOUS	Section 21.7. Contract Work and Notice to the Union. b. Notice to the Union. Subject to Article 3, Management Rights, and excluding Temporary employees as defined in Article 1, when the County proposes to contract out work that is normally performed by regular full-time or part-time bargaining unit employees, notice shall be given to the Union. If the contracting will result in loss of employment to bargaining unit employees, the County will provide a 90 calendar day notice period, except when not possible due to grant/funding availability. This notification will be made in writing and be made prior to Employer implementation of the proposal.	Section 21.7. Contract Work and Notice to the Union. b. Subject to Article 3, Management Rights, when the County proposes to contract out work that is normally performed by regular full-time or part-time bargaining unit employees, notice shall be given to the Union. Notice is not required for the County's use of temporary employees. If the contracting will result in loss of employment to bargaining unit employees, the County will provide a 30 calendar day notice period, except when not possible due to grant/funding availability and/or conditions. This notification will be made in writing and be made prior to Employer implementation of the proposal.

	AFSCME (Open Bargaining Items - 8/19/21)	BENTON COUNTY (Last Mediation Offer)
	Section 21.16. Career Development. In order to retain knowledge of and experience with County operations, Benton County will strive to support employees who wish to develop their skills and pursue career development and promotions within the County. The County will exercise its best effort to provide County career development opportunities. Employees who meet the minimum qualifications, and who apply for an open county position in their career development field, will be granted an interview during the selection process. Employees who have successfully completed a county-approved training course intended specifically to gain supervisory knowledge and/or experience, as outlined in this Article or in Article 13.72, will be able to count that course as one year of supervisory experience for the purposes of meeting minimum qualifications.	Section 21.16. Career Development. In order to retain knowledge of and experience with County operations, the County will strive to support employees who wish to develop their skills and pursue career development and promotions within the County. Employees who have successfully completed a county-approved training course intended specifically to gain supervisory knowledge and/or experience, as outlined in this Article or in Article 13.9, will be able to count that course as one year of supervisory experience for the purposes of meeting minimum qualifications.

AFSCME LOCAL 2064 REPRESENTED SPEAKERS AT THE DECEMBER 7TH BOARD OF COMMISSIONER MEETING, PUBLIC COMMENT

Speakers

1. Dawn Dale, President AFSCME Local 2064, Sheriff's Department - Business Analyst II
2. Joe Moore, Chief Steward AFSCME Local 2064, Public Works - Engineer & Survey Tech 2
3. Kailee Olson, EBoard Member AFSCME Local 2064, Health Services - Admin Specialist III
4. David Malone, EBoard Member AFSCME Local 2064, Public Works - Land Surveyor
5. Michele Bangs, Trustee AFSCME Local 2064, Health Services - QMHA
6. JoeHahn, Board of Commissioners - Equity, Diversity & Inclusion Program Coordinator
7. Chris McFarland, Health Services – QHMP AOD ACT
8. Nancy Swain, Natural Areas, Parks & Events – Admin Assist 2
9. Mercedes Magana, Public Clinics – Health Navigator
10. Gabrielle Dibble, Public Works – Office Specialist 2
11. Shawn Lorenzi, District Attorney – Crime Victim Advocate 2
12. Sierra Anderson, Sheriff's Department – Emergency Services Planner

Good Morning Commissioners and thank you for allowing the employees under the collective bargaining unit AFSCME to speak with you today. My name is Dawn Dale and I am the President of AFSCME Local 2064. I work for the Sheriff's Office as a Business Analyst II and have been employed with Benton County for 10 years. We currently contract for 315 employees, approximately 61% of the Counties workforce.

On March 15, 2021, AFSCME started negotiations for our collective bargaining unit that expired June 30, 2021; almost 10 months ago. This last week we sent out to membership the Counties Last, Best and Final Offer, which membership rejected, authorizing the bargaining team to call an impasse, but before we did that, membership wanted a chance to speak one-on-one with the commissioners so that you could hear our concerns.

We are at your service every day, a county tag line that every employee strives for and holds to their core values as they perform their jobs to the highest standards. Benton County has a lot of amazing, dedicated, and high performing employees that I am proud to say I work with every day. That was apparent when the county was called to service during the COVID-19 pandemic.

As the bargaining unit has meet with management to negotiate a fair contract, we kept in mind the 2040 goals that the county has adopted which are based on the principles of equity and health, including words such as safe, forward-thinking, supportive people, opportunities, resilience, equity for everyone, diversity, and health in all actions.

It is true we came to the bargaining table with a long list of requests and changes; some were replacing old language, such as "email" instead of "telegraph", some were updating statute & legal language to meet current standards, and some were ensuring that additional language was added to protect our workers from the unsafe working conditions that resulted in a fatality within the life of our last contract.

There were multiple changes that weren't about economics, but don't get me wrong, those have also been an issue. In the last two 4-year contracts, employees experienced broken promises from management on working on a model for a pay scale that would keep us current with market wages, similar to our neighboring counties. Since that didn't happen we have seen a turnover rate of 53% of employees, just within the AFSCME bargaining unit since our last contract. On top of that we are looking at an inflation rate

of 6.2% for this current year. Bringing up employees' wages current with the market and offering a longevity incentive will help with keeping our workforce in Benton County which aids in the retention of historical knowledge, better customer service for our citizens, and improved employee morale and productivity.

In closing, I ask you, the Commissioners, to help us ratify our contract by creating an environment of valuing employees, providing equity in pay and benefits, bringing our wages up to market (effective July 1st, 2021), adding longevity pay incentive for employees who have worked for the county 10 years plus, giving internal candidates an interview when applying for a job they meet minimum qualifications for, recognizing Juneteenth as a paid holiday, and improving workplace safety language and accountability.

I also sent to each of the Commissions last night, letters from employees who were unable to speak today, but wanted their voices heard. We appreciate your time and consideration.

Thank You!

Good morning Commissioners and thank you again for having us. My name is Joseph Moore and I am the Chief Steward of AFSCME Local 2064. I work for Public Works as an Engineering and Surveying Tech 2. I have gone back-and-forth for weeks now over what I wanted to speak about when I realized what I must speak about and how it set me on the path that has led me here today.

I started working for Benton County in April of 2019. On August 9th, 2019 Benton County suffered the tragic loss of Pete Neuman and while I never got the opportunity to really get to know him, the impact his death had on my co-workers was all I needed to know. I made the decision that day that I wanted to be Chief Steward and do everything I could to keep something like that from ever happening again.

I became a Steward of AFSCME Local 2064 in December of 2019, and the president appointed me Chief Steward on June 6th of 2020. On May 11th, 2021 I had the privilege of testifying in front of Oregon's Senate Committee on Labor and Business in support of HB 2682 "Pete's Law," a legislative act Relating to safety standards for construction vehicles. On June 11th, 2021 the Governor signed the bill into law and it went into effect Sept 25th, 2021.

As Chief Steward, I have been involved in a multitude of member issues including fact findings, grievances, Unfair Labor Practices and more. I am Co Chair of the Avery Complex Safety Committee. I worked side-by-side with Commissioner Xan Augerot during the wildfire relief efforts, spent the first 5 months of this year working shifts at the Emergency Operations Center and have gotten to witness first-hand the good that Benton County can do. I have also seen, first-hand, the shortcomings of Benton County leadership.

Safety is much more than preventing another death. The County has recently started to see some positive changes in the direction of building a better culture of workplace safety, yet the additions the union proposed in the contract have been largely rejected.

I understand and respect the fact that this, and the other issues brought forth today by our members, are not the result of decisions and actions made directly by you, our current commissioners, but they are yours to address and fix moving forward.

I will close with a similar statement to the one I made to the Senate Committee: I am only the Chief Steward of Benton County AFSCME Local 2064, you are the Stewards of Benton County and its employees.

Thank you for your time. I look forward to serving Benton County at your side.

Commissioners Augerot, Malone, and Wyse,

I am honored by this opportunity to come before you today, representing the hardworking members of Benton County's AFSCME Local 2064. My name is Kailee Olson and I am an Executive Board member for AFSCME Local 2064. I currently work as the Health Department Administrative Specialist and have also served Benton County as the Program Assistant to the Community Health Centers.

I came to Benton County feeling excited to be part of such a progressive organization that prioritized Health in All Actions, Thriving Communities, and Sustainability. I was looking forward to working with local government representatives that advertised being on the forefront of prioritizing diversity, equity, and inclusion, safety, and benefits and wellness. I was thrilled to join a community of people dedicated to public service and taking care of their community. The invaluable employees of Benton County have lived up to these expectations and beyond.

In my three and a half years with the County I have, in some way, worked with at least one person from every department in this county. Whether it was serving in my assigned duties as a liaison between Health Services and other departments, responding to COVID-19 and wildfires as part of the Emergency Operations Center, or serving on the Executive Board of AFSCME Local 2064, I have been impressed, inspired, and humbled by the sincere compassion and commitment I have witnessed of Benton County employees.

As I got to know my colleagues better, I saw that underneath their unfailing work ethic, people were hurting, and many at the hands of Benton County leadership themselves. I got to know people who have not seen a raise from Benton County in twenty years, people who are exposed to escalated and sometimes violent community members as part of their jobs but not offered appropriate training to know how to respond, people who suffered the loss of a dear friend and coworker while on the job at Benton County, people doing the jobs of multiple positions or covering management duties without fair compensation, people who have been discriminated against, harassed, and mistreated in the Benton County workplace, people who have begged for years, with no results, for more training, career development, and leadership-building opportunities in order to continue giving back to Benton County. I myself was tasked with taking on the additional duties of a role I was later told I did not even qualify enough to receive an interview for, yet I continued to fulfill the duties of the role, and trained the person hired for the job I did not get. Yet, I am still here fighting for more opportunities to serve Benton County and am applying for yet another promotional opportunity within the County. Without longevity pay, I have no choice but to continue seeking further promotional raises if I want to keep up with the costs of living in Benton County.

In the last two Collective Bargaining Agreements, lasting a total of eight years, Benton County AFSCME members have been robbed of the pay, career development opportunities, safety protections, equity advancements, and union representation they deserve.

Benton County AFSCME members are not just a few lazy, entitled do-nothings who want to complain about nothing and get paid more. When Benton County was hit with wildfires, ice storms, and COVID-19, and Benton County employees sacrificed their time, energy, and mental health, they did it because they are devoted to this community that you represent. When we entered the current negotiating period, Benton County employees thought that this time would be different. They thought Benton County leadership would understand the unprecedented hardships they endured as a result of the already broken systems that were exacerbated by COVID-19. They thought leadership would recognize the additional sacrifice they made to keep our communities safe in a time of unparalleled crisis. But Management's Bargaining Team has made it clear that they are not interested in responding to the needs of their employees, stating that our priorities continue to elude them when we have been loud and clear.

Benton County is experiencing tremendous turnover and I have heard distinctly from departed staff that part of their reason for leaving is directly related to the lack of hope they have experienced as a result of Benton County leadership's failure to recognize the valuable asset it has in its employees. I implore you, if we are to retain what's left of our workforce, please listen to what these members have to say, and do your part to make Benton County more like the progressive community it claims to be.

Thank you,

Kailee Olson
Health Department Administrative Specialist
AFSCME Local 2064 Executive Board Member

DATE: 7 December, 2021
TO: The Honorable Commissioners Augerot, Malone, and Wise
Benton County, Oregon
FROM: David L. Malone
Land Surveyor
Benton County Public Works
AFSCME Local 2064
RE: Contract Negotiations

I began working at Benton County Public Works in January of 2010. When I started working here there were quite a few employees with more than 20 years of experience working for Benton County. Now, with only 12 years at Benton County I am considered one of the more experienced employees. Although the County has some great recruitment propaganda on their website and in their job opportunities information, the reality is that Benton County has developed a revolving door of employees that come here to get training before quickly moving on to jobs in other local government agencies with better wages and promotional opportunities.

The union has spent nearly a decade resisting management's attempt to tie us into an unfair pay structure based on a deceptive pay for performance evaluation model. This model was riddled with problems and the union membership recognized that not only was it being applied inconsistently from department to department, but it spread the ability to earn comparable market wages over 11 years compared to the 6 or 7 years of most comparable agencies. All while requiring that employees perform at an exceptional level to get pay increases instead of the satisfactory performance level of the other agencies. After much effort over the last two bargaining cycles, the union membership thought we had convinced management to drop the idea of implementing this failed model. During that time, the union membership watched their pay get drastically eroded as we were only eligible to get the bottom half of the comparable market wage over the last 8 years.

Instead of pay for performance, management has now introduced the idea of offering bonuses for exceptional performance. The eligibility for this exceptional performance bonus will be decided by the department director and the human resources director, who may not be in touch with the actual job performance of the rank and file membership. This bonus system will cause poor morale and disgruntlement as well as friction between the employees in departments that need to be able to work closely together. The award of these bonuses will often be seen as favoritism as employees that work side by side doing the same job will then see their coworkers getting a bonus that they don't get. Also, since department directors have to provide the funding source for these bonuses, they will have to budget in advance for exactly how many awards they are going to grant during the following two year budget cycle. How will they predict how many employees will perform at an exceptional level in the future? This will limit how many awards will be granted to how much money the department director wants to take from their operating budget. The current wording that management has proposed for these bonuses is also limited to one award per fiscal year. Is that one award per employee, one award per department, or just one award across the County? Reading the proposal for Exceptional Performance Pay and knowing how the County was trying to implement Pay for Performance, it seems that very few people will receive these awards.

It is time for County management to recognize that the employee turnover rate is too high for a local government agency to operate efficiently and continue to produce quality results. Instead of trying to implement ideas that the employees are against, it is past time to listen to the employees and understand what is important to them and what is causing them to leave Benton County employment. We can bargain wage increases and contract protections, but quit trying to bargain for things the employees aren't interested in. Instead of dangling a carrot that won't be awarded to most employees, implement programs like longevity pay that keeps employees with experience working for Benton County. Actually make Benton County government an attractive place to work, that attracts and rewards employees for their experience.

Hello Commissioners.

My name is Michelle Bangs. I have been with Benton County since December of 2013. I have served those in our community whom most people want to ignore, those with a mental health diagnosis. I started my time with Benton County providing medication supports, and Basic life skills trainings with some of our most vulnerable community members. In 2014, I was in a car accident in a county vehicle. I was out of work a total of 1 yr and am considered 25% disabled from this accident. In 2015, I started as a housing coordinator with Behavioral Health's Rental Assistance Program. Since 2015, I have seen many co-workers and management come and go. In my 8 years, serving Benton County only 6 AFSCME represented behavioral health employees have been with Benton County longer. If we want to show we are fiscally responsible with tax payer's money we need to start focusing on why we have such a high turnover. Better working conditions including safety language, career advancement and supports, more step increases and longevity pay. I myself have been at wage step 6 for years and have trained numerous employees just to watch them leave for other agencies and get better pay and healthcare and most of all recognition for their hard work and sacrifices they make for their community and families. As a community, we need to show we value everyone equally.

Thank you,

Michelle Bangs

Housing Coordinator (QMHA)

Trustee AFSCME Local 2064

Good morning commissioners, fellow staff, and community members

For those who do not know me I am JoeHahn, I use he and they pronouns, and I am the Equity, Diversity, and Inclusion Coordinator for Benton County and an AFSCME member. I am here today to encourage the Board of Commissioners and management to implement Juneteenth as a county recognized holiday.

Juneteenth, June 19th, is the holiday celebrating the day that enslaved Black people in Galveston Texas were informed that they were emancipated on June 19th, 1865, two and a half years after the emancipation proclamation.

Juneteenth has been celebrated since 1865, with various state and local holiday observations and celebrations. It is a day to reflect, learn, and celebrate the freedom that Black Americans were denied for so long after being the workers who built this country.

This year, President Joe Biden made Juneteenth an official holiday. Our peers at other jurisdictions such as the City of Corvallis recognize the holiday, as well as Oregon State University and many other employers. My partner works at OSU and he had the holiday off, but I was still working an unable to celebrate the holiday with him. Many of my fellow employees had similar situations happen and more will as other employers join in recognizing the holiday.

Our county should join in the observation of this holiday so we can show our community members we are dedicated to equity, diversity, and inclusion. Having the day off will allow our staff to join in community celebrations, community service, relaxation, and jubilation, all central themes of the holiday.

It will also signal to potential future employees that we recognize the importance of supporting Black people and their community. Oregon was founded on anti-Black laws, we need to learn from this history and use Juneteenth and other events to educate, celebrate, and build community.

I have drafted a Juneteenth resolution that is ready for review whenever you wish to see it. Additionally, we can explore other means to get Juneteenth a holiday. We aren't just asking for AFSCME members, but for the entire organization to recognize the holiday.

Thank you for your time.

JoeHahn *He/They*
Equity, Diversity, and
Inclusion Program
Coordinator

Phone: 541-766-6851

Email:
joe.hahn@co.benton.or.us

www.co.benton.or.us

Good morning Commissioners, and thank you for giving me the time to share with you this morning. My name is Chris McFarland and I am a Benton County employee. As you are aware we are currently in the middle of mediation for our Union Contract and we are beyond frustrated with how these negotiations have been handled by the Bargaining team representing the County's interests. As county employees we are not asking to be the highest paid, nor are we asking for unreasonable benefits. What we are asking for is to be where surrounding counties are at regarding our fair contract, but more importantly we want as public servants to feel that Benton County truly appreciates what every employee brings to the services that keep Benton County the exemplary county that it is.

I am a Substance Use Disorder counselor for the ACT Team in the Mental Health Division for Benton County Health Services. We work with the most vulnerable, high intensity, historically discorded population in the community, and we do it with passion, empathy, and a strong desire to make a difference in our community. We don't do it for the money, and we certainly don't do it for the prestige, but we do hope that our pay and benefits compensates some of the mental and emotional toll our line of work takes on us, as there is a tremendously high rate of burnout within the mental health social work field resulting in incredible shortages of counselors, therapists, and social workers in the state.

These past 21 months Benton County employees have been outstanding in addressing the needs of the community to fight Covid-19; spearheading testing, vaccinations, PPE made available to any and all community members, and making sure that all of Benton County residents have what they need to be safe and make it through these unparalleled times.

I started my career late in life, but I chose to start my career here at Benton County five years ago with the hope and intent of retiring here, doing what I love to do for my community.

The main point of hold up pertaining to the new contract has to do with longevity pay. Benton County has repeatedly refused to entertain the idea of offering longevity pay. Currently after an employee's fourth year they are maxed out on their salary, so there is little motivation to commit to long term employment here. Benton County invests thousands of dollars to recruit, hire and train new employees. You would think they would want to incentivize employees to stay past 4 years. I've invested five plus years of my career to serving the public here in Benton County, but what incentive is there for me to invest another five, ten, fifteen years to public service if my longevity isn't appreciated.

We know that as County Commissioners you take great pride in Benton County being a model of how to successfully mitigate a global pandemic while maintaining the high quality services that Benton County provides to its community every day. So we are asking that you use your commitment to serving the people of Benton County to sway the County's bargaining team to strongly reconsider their negative stance concerning longevity pay.

Thank you for your time.

Chris McFarland

Statement read by Nancy Swain, Fairgrounds Admin Assistant II

Commissioners, Thank you for listening to my comments. I want to speak today about the issue of longevity pay and pay in general. I started working for Benton County in April of 2003 so you can see I am well qualified to speak on these issues. I remember when I started, someone in HR said, 'oh you'll be working at the Fairgrounds, Good Luck' Hmm, what did that mean I thought - Am I making the right decision? Well, it couldn't have been too bad because I dedicated the last 18 years to the Fairgrounds and Benton County.

What is distressing to me as I start to plan my retirement is the knowledge that my wages have been below market-rate for years. At the time when I was hired, I was coming from being laid-off by Hewlett-Packard and I was grateful for the job. I felt that as long as I could raise my son, maintain our home and have good medical coverage the lower wage was not crucial. I know I could have left for higher wages - that is on me but working to serve my community and staying on as a loyal employee of Benton County fed my soul.

As I look to my up-coming retirement though I'm now feeling hungry. Will my portfolio enable me to spend time with my grandchild, my family and friends far away from here now. I've saved, invested and taken advantage of the County's retirement savings options but saving as much as I could when not earning as much as I could has made a stark difference.

This is what I want you to understand, I will encourage every employee to vote to strike for better wages not just because they want a better pay check next month but because it does impact you greatly when you do retire, in ways you're not fully aware when living your day by day. And while I look back on my 18 years with Benton County I don't feel as though made the wrong decision at all but I do feel Benton County got the better deal.

Hello,

My name is Mercedes Magana and I have been a Community Health Worker (Health Navigator) for the last three years. Prior to becoming a Community Health Worker, I was a WIC Certifier for 25 years. Due to budget cuts, Benton County eliminated my position.

After I became a Health Navigator, I decided to embrace my new position and developed a position that links Oregon Health Plan, Oregon Mothers Care and WIC. I'm proud to say that my position is one of only a few in the entire state of Oregon.

Throughout the years, I have had the opportunity to work with and learn from great professionals who, like me, are loyal to the County and have great work ethic. Yet, many of us don't even remember the last time we received a raise. I'm not asking for a favor, I'm only asking for what is fair for me and all county employees. I can't afford to go on strike, but these things are important to me and I am not willing to let them go.

I recommend that you do a work shadow, to see what AFSCME members do for the community. We are here, not only because we need to pay our bills, but also because we love our community, we love what we do, and we love to see the difference we make in our clients.

I implore you to please consider how meaningful these proposed contract changes will be for our staff to feel appreciated and to enable them to remain with Benton County for years to come.

Thank you for hearing my concerns.

Sincerely,

Mercedes Magana

Community Health Worker, WIC

From: DIBBLE Gabrielle <gabrielle.dibble@Co.Benton.OR.US>

Sent: Tuesday, November 30, 2021 4:50 PM

To: DALE Dawn <Dawn.Dale@CO.Benton.OR.US>

Subject: My Voice for AFSCME

I started my career at the County in April of 2021. I know, that is not very long, but in my short time here two things have become crystal clear to me. The first is that the County is full of incredible people. People who work hard for their families and their communities, who show up every day with their full efforts. People who don't let fire, smoke, snow, rain, frustrated members of the public or a PANDEMIC get in the way of their work. These are the people that make the County run. They are the engine that drives all the wonderful resources and projects around Benton County that make it a great place to live. Think of all the Union represented people you work with – now imagine if you had to do their jobs on top of your own. Not easy, is it? The employees of Benton County are a great team, and I am lucky to be working with so many kind, helpful, and capable people. I love working here because of them.

The second thing I noticed was that these people are underpaid and underappreciated. I quickly learned how unwilling the management team was to bargain with the Union. Delivering bargaining materials at the last minute, offering rejections to every proposal the union presented, no offers to compromise or meet halfway, the inaccurate "comps" of counties that do not accurately represent ours in size, positions, and duties, etc. It seems to me that the County's team is either incapable or disinclined to give their union-represented workers a fair contract. For one, how do you expect to run a County (something that will hopefully be around for another 174 years) smoothly and effectively if your workers top out of their salary ranges in SIX YEARS? Would you want to work somewhere that only increased your pay the first six years of your 30-40 year career? Wouldn't it be in the County's best interest to work with their employees to make sure that the compensation for the excellent and ceaseless work they provide is equal in quality? What costs more in time and resources? Ensuring your employees are safe, happy, and well compensated for the hours of their life they dedicate to the County – or constantly having to recruit, hire, and train the same positions over and over again? Have you considered the impact that may have on the departments and offices affected most by turnover? Perhaps you could make it easier for existing employees to move up into higher-paying positions by automatically granting interviews to those who qualify for open positions?

I don't think what we are asking is too much. And if it seems like a lot to the management team, it is because the County has been undercompensating their employees for a long time now. We have learned in this last year that life is too fragile to accept the bare minimum to survive. We want to THRIVE and prosper – everyone deserves that. The world has changed so much in the last 30 years. If the County wants to continue to be a wonderful place to work and/or live, it needs to keep up with the inevitable changes that come with the passage of time. Remember, we are giving weeks, months, *years* of our life to the County that we will never get back – can you really tell us that we are asking for too much?

Respectfully,
A proud AFSCME member

Dear Benton County Board Commissioners,

Thank you for the opportunity to speak in front of you this morning. My name is Shawn Lorenzi and I am a Victim Advocate in the DA's Office for Benton County. I have been with the County for 6 and half years. I live, work, volunteer, play, and raise my son in our County and I love it here.

I would like to offer my observations to take into consideration when thinking about and working toward a resolution regarding our contract. The privilege of being a Victim Advocate means working with our fellow residents under their worst moments, in a system that can be unfriendly and confusing. No one chooses to be a victim of a crime and it touches everyone. When you are victimized or a loved one is victimized, believe me, you want an experienced Victim Advocate helping to guide you through.

When fully staffed, each Victim Advocate carries several hundred cases. Sadly, we are rarely fully staffed. This is in part because it is an extremely challenging job. This is also because the wage does not match the job requirements. I have seen many employees come and go because of job stress or because they find jobs with salaries that match the job. My love for our community and frugal nature has kept me here. Unfortunately, I hit the 6 year mark – no further wage increases - and it appears the “actual” cost of living will drive down my take home pay too low to maintain.

I want to work here. I want other qualified Victim Advocates to work here. In fact, I would like all Benton County positions filled with qualified staff. To do so, we need to treat them well and pay them what is fair. I ask that you consider my experiences when collaborating with our Union to resolving differences. We want to work hard for our County.

Shawn Lorenzi

Benton County Commissioners –

First, I would like to start with a deeply heartfelt thank you to you all. To my knowledge, counties throughout the state do not compare to Benton County when it comes to their commissioners' dedication to emergency preparedness. I would also like to take this time to thank all of the department directors as well as the Benton County Sheriff's Office (whom I work for) who have contributed countless hours of staff time, as well as their own time to the response efforts over the last 18 months. You all have done everything in your power to ensure the health and safety of this community and without your support; I do not believe our emergency response would have been so successful.

The reason I am here today is to advocate for the improvement of our current union contract in regards to overtime compensation. I have worked nearly 400 total overtime hours since March of 2020; this includes overtime hours worked outside of emergency response. I feel very strongly that employees should be able to hold a comp bank of 64 hours to utilize when their schedule allows.

It is important to remember that EOC staff are not just *staff* but they are some of the most dedicated county government employees. These are highly committed staff who chose to show up when others chose to stay home. I have witnessed first-hand the effects that emergency response has on staff and I will touch on some of my own experience. As many of us know, four of our JIC staff have chosen to leave our organization. This staff in particular worked many overtime hours to produce exceptional messaging to inform our community during pandemic and statewide wildfire responses. This staff did not have the ability to have time off to heal from response.

In my own experience, I can honestly say I struggled with my own recovery from the last 18 months. I worked evenings, weekends, long hours, in difficult environments, where although I was exhausted and overwhelmed, I stayed. There was not a matter of if I could do it, it was I *had* to do it to protect and serve my community. I will say that most of us in the EOC sacrificed something to get the work done. I personally left my partner at home alone when he needed me most. Like many, I did not see my family for most of 2020, including holidays and special events. I had to stay home and participate Christmas morning through tear-filled zoom calls and was unable to travel with my Dad to California for my grandfather's funeral. I gave all of this up to minimize the risk of bringing COVID to our EOC team and ensure the work was completed. My team needed me and I felt I couldn't leave them with the amount of work we needed to accomplish.

We know that COVID is not going anywhere anytime soon, we know that disasters are only going to become more frequent and severe as climate change worsens and the need for emergency response will be more frequent. We also know we need to take care of the people who take care of us.

It is critical to have a system set up that allows employees the flexibility to take time off after working so many painstaking hours. This not only allows for a standardized accountability process for employees but also it shows that our organization prioritizes adequate recovery time for employees.

I have seen what amazing things our organization can accomplish when we come together to solve a problem. I have felt the sting that employees feel when what they have worked for does not feel recognized or that they do not feel heard when they bring up the need for earned rest.

I ask that you please consider allowing a comp bank for worked overtime for employees when AFSCME is working for a fair contract with our human resources department. Thank you.

Sierra Anderson – Benton County Emergency Management Planner

AFSCME LOCAL 2064 REPRESENTED LETTERS OF COMMENT AT THE DECEMBER 7TH BOARD OF COMMISSIONER MEETING, PUBLIC COMMENT

Non-speakers (Letters from AFSCME members)

1. Issac Powell, Juvenile - Juvenile Outreach Spec
2. Dean Barnes, Sheriff's Office – Civil Division Coordinator
3. Owen Millehrer, Public Works – Civil Engineer
4. Lisa Kolka, Health Clinics – Medial Assistant I
5. Joshua Okerson, Information Technology – IT Specialist
6. D'Anne Hammond, Public Works – GIS Specialist
7. Tammy Ridders, Finance & Budget, Property Tax Clerk
8. Debbie Bauer, Finance & Budget, Chief Tax Deputy
9. Harumy Concepcion, Health Services – Health Navigator
10. Katy Kuhnert, Sheriff's Office – Records Specialist
11. Gordon Kurtz, Public Works – Associate Engineer
12. Summer Smallwood, Sheriff's Office – Administrative Specialist
13. Melissa Leon, Health Services – Health Navigator
14. Samantha Bailey, Juvenile – Office Assistant 3
15. Marcy Dailey, Environmental Health – Permits Clerk
16. Heather Schmadeka, Health Clinics – Population Health Coordinator
17. Kristin Anderson, Community Development - Associate Planner
18. Doug Sackinger, Information Technology – GIS Coordinator
19. Deborah Rich, East Linn Health Center – Resource Health Navigator

From: POWELL Issac <Issac.POWELL@Co.Benton.OR.US>
Sent: Monday, December 6, 2021 10:04 AM
To: OLSON Kailee <Kailee.Olson@Co.Benton.OR.US>
Cc: DALE Dawn <Dawn.Dale@CO.Benton.OR.US>
Subject: RE: LAST CALL FOR SUBMISSIONS!!! BOC Meeting 9am TOMORROW

Juvenile Outreach Position

Longevity Pay:

Minimum Requirement: (As it stands, it is 2 years.) I think it should be 4.

I have worked as Juvenile Outreach Specialist for 22 years, on February 22, 2012. The entire time I have been employed here with BCJD there has NEVER been a Juvenile Outreach Specialist hired with just a 2 year degree. In fact, we just conducted interviews for an Outreach position, last Friday, we interviewed 6, 4 had their Bachelor's degree and 2 had their Master's degree. In today's world it isn't likely that a person with a 2 year degree would have enough experience to be a solid candidate for this position.

Commissioners/Jo Kirby,

Please consider longevity pay, for this position as this position is also, generally a natural progression into becoming a Juvenile Counselor and that position requires a 4-year degree.

Issac Powell

Juvenile Outreach Specialist

DALE Dawn

From: BARNES Dean
Sent: Thursday, December 2, 2021 9:58 AM
To: DALE Dawn
Subject: BOC Input for AFSCME Contract

To Whom It May Concern:

Working for Benton County for the past 14 years has been a privilege. Every employee who works for Benton County is on the same team, whether we are AFSCME, ONA, BCDSA/Teamsters, or Non-Represented. We all work hard every day to exceed customer expectations and to provide exceptional services for everyone who lives in this great county. As an AFSCME represented employee, I only ask for a fair and equitable contract and to do whatever it takes to end this bargaining process. The two main issues that are important to me are (1) Longevity Pay and (2) Retroactive Pay for Step 7 and 8.

- 1) Longevity Pay: Employees who have at least 10 years of service should have an additional 1.5% pay increase. Other counties provide longevity pay increases on top of COLA's and market adjustments (Linn, Polk, Yamhill, Josephine, etc.). I believe we can do the same for our employees here in Benton County who have dedicated 10 or more years of quality service to the community.
- 2) Retroactive Pay for Step 7 and 8 to July 1, 2021: Step 7 and 8 increases have already been agreed to in the bargaining process. Employees have waited 8+ years for a step 7 wage increase and should not have to wait another year to receive the step 7 and 8 increase after the contract is completed. Having the step 7 and 8 increase to be retroactive to July 1, 2021 is the fair and equitable decision.

Regards,

Dean Barnes
Benton County Sheriff's Office
Civil Division
180 NW 5th Street
Corvallis, OR 97330

Date: 12/2/2021
To: Benton County Board of Commissioners
From: Owen Millehrer, Civil Engineer
Re: AFSCME Contract Negotiations

If you had to choose from the following lists of comparable agencies for Benton County, which would you choose?

Douglas	Polk
Josephine	Linn
Yamhill	Lane
Lincoln	Corvallis
Polk	Albany
Linn	Marion
	Yamhill
	Lincoln

The first list is based off of population only and does not consider cost of living or other factors. The second list includes surrounding jurisdictions that we compete for in the employment pool. AFSCME used the second list for our wage study and initial proposals. Management has forced us to use the first list to negotiate wages for AFSCME employees, even though they used the second list to give themselves wage adjustments in 2008. Below is the wage study for Human Resources Director for all of the above jurisdictions:

	Jurisdiction	Job Title	Yearly Minimum	Yearly Maximum	
Used for AFSCME Based on population/ Ignores cost of living	Benton	Human Resources Director	\$101,293.00	\$162,069.00	Benton County Salary Minimum = \$101,293.00 Maximum = \$162,069.00
	Douglas	Human Resources Director	\$90,438.40	\$129,896.00	
	Josephine	Human Resources Director	\$80,106.12	\$113,767.32	Average Salary (Comps used for AFSCME) Minimum = \$88,328.17 Maximum = \$120,637.11
	Yamhill	Human Resources Director	\$80,793.16	\$100,075.24	
	Lincoln	Human Resources Director	\$101,975.00	\$137,047.00	Average Salary (Comps used by Management) Minimum = \$104,103.54 Maximum = \$136,509.06
	Polk	Administrative Services Director	-	\$122,400.00	
	Linn	N/A			
	Lane	Chief Human Resources Officer	\$103,417.60	\$152,048.00	
	Marion	Chief Human Resources Officer	\$111,051.20	\$148,782.40	
	Corvallis	Human Resources Director	\$119,598.36	\$160,456.20	
Used for Management in the past Includes surrounding jurisdictions	Albany	Human Resources Director	\$107,785.92	\$134,754.56	

Instead of working with AFSCME to create a fair contract, Management's Bargaining Team has done their best to protect the bottom line. All we want is a fair contract that is consistent with contracts of surrounding jurisdictions. We are not asking for the best contract in Oregon or the top wages, we are asking for wages and benefits that are common for surrounding agencies. If we continue to have wages and a contract that are inferior to surrounding agencies, we will continue to struggle with hiring and retaining quality employees and morale will continue to suffer.

Please help us in securing a contract that is fair for Benton County employees!

My name is Lisa Kolka and I work as the Population Health Coordinator for Lincoln Health Center.

I am also a US Navy veteran.

For 15 years, I was an Independent Duty Corpsman and I was known as HM1 Kolka or simply "Doc". I intended to make the military a career; however, an injury forced me to separate before my 20 years.

After my military career ended early, I had a VERY hard time adjusting to life as a civilian. There were times that I honestly did not think I would make it.

Then I found a job in the medical field that gave me purpose again. I love what I do and feel that I am making a difference in the lives of our patients. That feeling of accomplishment and a job well done is something that helps keeps my own personal demons at bay.

And I had every intention of making this job my second career.

HAD EVERY INTENTION...that is until it came time to negotiate a new contract.

These past few months have left me feeling the same way I felt when I was forced out of the military. I honestly thought the county would look after me and always have my best interests at heart, the same way I thought the military would...but that is another long story I won't go into. I will say that I feel abandoned and disrespected. In addition, I am seriously reconsidering my intention of continuing to work for an establishment that seems to care very little for my personal well-being.

Management offering step 7 and 8, and trying to pass it off as longevity pay, is NOT a resolution. The only thing it does is provide another 2 years until you max out in pay. Effectively creating another bargaining nightmare for our next contract negotiation. This is a slap in the face to ALL employees who have been with the county, through thick and thin, for over 10 years. And to ALL those employees like myself who are not yet at the 10 year mark, but are considering a long term career with the county.

Furthermore, it has been documented in multiple studies that the Covid pandemic has seen mental health struggles increase exponentially. If the county chooses to forgo additional EAP, they are knowingly and willingly choosing to acknowledge the mental health and well-being of employees DOES NOT MATTER TO THEM.

Management may sit back and wonder why we have such an extremely high turnover rate. And that makes me wonder how management can be so short sighted and oblivious to the needs of its employees.

It is time for the county to do the right thing for your employees who give so much of themselves on a daily basis. We deserve better.

From: OKERSON Joshua <Joshua.Okerson@Co.Benton.OR.US>

Sent: Friday, December 3, 2021 12:50 PM

To: OLSON Kailee <Kailee.Olson@Co.Benton.OR.US>

Subject: Comments

Hello, I am concerned for Benton County and more than a little confused by the behavior I have witnessed. I am concerned because I am seeing many of our most talented and brightest people leaving from frustration and burnout, I am concerned because I see us heading towards a strike and no sign that you even care or have any interest in anything other than doing the bare minimum you can do to make these pesky negotiations go away. How is this supporting our community? How is this fair and equitable treatment? We talk a big talk about how this county is a tight knit family and we all are working towards the common goal of supporting this community. I have never questioned this and always thought this was the case. But now I am left wondering is there substance to these claims or were they just hollow platitudes that mirror the mentality of corporate America? I think it goes without saying that the much larger workload due to the pandemic has served as a catalyst to bring these issues to the surface and for many was the last straw.

You have a real opportunity here to solidify faith in this county and your leadership. But you're either incapable of seeing this or unwilling to budge out of what appears to be sheer stubbornness. If this is not the case please explain. Explain why you delayed negotiations for so long. Explain why you think your staff deserves a below market wage while in many cases doing the work of two people thanks to the amount of staff that have left and the heightened workload in the face of the pandemic? Explain why we have to picket and fight to just get a fair shake. This is breeding a culture of dissatisfaction and unrest in your staff. People are not happy and they feel mistreated, you don't have to agree or believe me but understand this is the reality. Yet with all this you have taken an antagonistic approach during these negotiations and have not been operating in good faith.

I worry about Benton County's Future. I worry about being put in a position where I have to support my fellow union members and go on strike. I worry about how this will erode the public faith in this county and I worry about the impact that will have on my life and family. But as a parent I cannot look my child in the eye and say I sat idly by and did nothing. Moments like this really test the character of people and organizations. We can decide here and now how the culture in Benton County will be going forward. Will it be an antagonistic relationship with resentment and distrust of leadership? Or will it be a county I can proudly say treats their employees fairly and with respect?

Sincerely
Joshua Okerson.
Benton County IT.



x6881 | Fax 6614

Submit a Request through the web while at work – [SERVICEDESK](#)

After-hours emergency line – 541-766-6881

DISCLOSURE: Messages to and from this E-mail address may be subject to Oregon Public Records Law.

December 3, 2021

To the Benton County Board of Commissioners:

I write this letter to you to express my dismay at the unwillingness of management's bargaining team to support Union employees. We have heard repeatedly that management refuses to bargain at all or flatly rejects fair proposals on topics that Union employees have voted as *most important*.

Safety concerns remain unaddressed. Service recognition awards are definitely messed up to say the least. COLAs on par with management may seem unnecessary with the employee turnover rate at 50% because that keeps most of us within the step system BUT management wants to do away with the step system too. Management's unwillingness to bring underpaid positions up to market is an insulting slap in the face. And what are our comparable counties? They are Josephine, Douglas, Polk, Yamhill, Linn, and Lincoln. This is ridiculous. Those counties has a substantially lower cost of living than Benton County. This seems obvious to most people *except* your management team. These are but a few examples of how management does not values us as employees – it is downright demeaning to us and shameful of them.

When I got my job with Benton County I was excited to fulfill my role in public service. Three years later I feel depressingly oppressed. The requirement of my primary job assignment, based on my job description, is to build a comprehensive infrastructure geodatabase and support my team with spatial analyses, maps, and online apps. Sadly, none of my superiors actually knows what that means, or the level of skill and knowledge required. They are not willing to even try to understand, and the current reclassification process and procedure is a dead-end scenario with a great big 'NO' at the end.

I'm very frustrated and have not stopped looking for a better GIS position... somewhere else. If the Benton County Board of Commissioners values us as employees, appreciates the work we do regardless of being underpaid, regardless of being under-classified, no matter what the weather, fires, floods, or covid bring us, then please let your management team know that a 50% employee turnover rate is unacceptable. Ask them to turn this around so employees are treated, evaluated, and paid fairly. I implore you, this is a great county and it's a shame that so many employees are so underappreciated.

Very Sincerely,

D'Anne Hammond, MPP, GIS, SNR
GIS Specialist
Engineering/survey
Benton County Public Works

Since the beginning of the COVID pandemic many county employees were given the opportunity to work from home. In fact some employees didn't come into the office at all, including supervisors and managers. The employees who became the front line workers were, receptionists, clerks including the mail, sheriff deputies, and public work employees. Some supervisors and managers weren't seen for at least 3 months, even as new employees were hired. They were all safe in their own homes.

In essence the county employees that were given this opportunity are making more money and get more personal time during the work day in the following ways:

- They are saving gas along with wear and tear on their vehicle.
- They have less chance of being exposed to COVID
- They don't have to wear masks
- They get more hours in their day due to the fact that they have no stressful commute, if they prefer they don't have to shower or spend the time packing their lunches.

There needs to be some kind of compensation for the employees that didn't and still don't get this luxury.

Tammy Ridders, Finance & Budget, Property Tax Clerk

Debbie Bauer, Finance & Budget, Chief Tax Deputy

I am a first generation American. My parents gave up their homes and loved ones to give me better opportunities than were available to them. By refusing longevity pay and COLA increases, the management of Benton County is trampling on those hopes and turning their backs on young Americans who want to serve our communities and give back for years to come.

By refusing to acknowledge and celebrate Juneteenth the management of Benton County show their commitment to upholding tired racist values and their refusal to keep up with the progressive humanitarian values of the people of Benton County.

I am a community health worker. I put my heart and health into my work every single day. The management of Benton County refusing to give us a fair contract only confirms what has already been said: they do not value the work of women and people of color at this County, particularly in the Health Department and District Attorney's office. County Management would rather bleed our hearts dry until we have no more to give to our community, we leave burned out and underpaid, and they can start their predatory process all over again.

-Harumy Concepcion

CHW

DALE Dawn

From: KUHNERT Katy
Sent: Friday, December 3, 2021 11:14 AM
To: DALE Dawn
Subject: Letter to Commissioners

My name is Katy Kuhnert. I have been a Benton County employee since 2005. I have worked the same position for my entire employment with Benton County, however the tasks for this position have changed dramatically over the course of the last 15 years. I believe this year's contract negotiations have gone unsettled for so long because the County is so far behind market in wages. AFSCME employees are no longer willing to watch management give themselves 6% pay for performance raises and not approve similar increases for the staff, under the rouse of there is not enough money. The county has enough money to pay their employees market wages.

My particular position at the Sheriff's Office is unique to me. I am the only person in the county that has a job like mine, but I believe it is similar to a fellow Sheriff's Office employee that currently is classed higher than me. Sheriff Jackson asked for a reclassification of my position in August 2019. In October 2020, more than a year later, my position description was changed to reflect my current job duties but my reclassification was denied. Research of my position in similar counties, shows it is between 6% and 10% under paid on average. The County management choosing to update and increase tasks on a job description but not have this change be appreciated by as accurate pay increase makes me feel like I am not important. Official acknowledgement of more work, with NO change in wages, is deteriorating for morale.

If the county wants to retain their current staff changes need to be made.
Recognize that knowledge from longevity matters.

Katy Kuhnert

Katy Kuhnert
Records Specialist
Benton County Sheriff's Office
541-766-6606

DATE: 7 December, 2021
TO: The Honorable Commissioners Augerot, Malone, and Wise
Benton County, Oregon
FROM: Gordon P. Kurtz
Associate Engineer
Benton County Public Works
AFSCME Local 2064
RE: Contract Negotiations

I have worked for this institution for more than 20 years. In that time period I have watched and listened and held my tongue. To be blunt, right now, I'm pretty fed up.

Benton County management routinely crows about their dedication to nurturing their workforce, encouraging a healthy working environment, providing opportunities for their employees, and engaging their feedback and then refuses to offer their employees equitable wages and benefits offered to employees of other Oregon Counties.

Management generously offers themselves pay raises and cost of living adjustments at rates higher and more frequent than those offered to the employees in their charge. Not only is this insulting and demoralizing, but it flies in the face of the written goals and concepts management supposedly supports and those policies are, quite simply, duplicitous.

The result of this work environment is a revolving door of employees. We have a **50%** turnover rate. **50% percent.** This stresses and burdens the remaining 50% of us with a steady stream of training, employee stewardship, explanations, interruptions and problem solving that could be avoided if we just kept employees on-board. Every time someone walks out the door we lose an opportunity to nurture and develop institutional memory which is critical to the function of local government. I've watched substantial institutional memory leave for reasons unrelated to retirement. I've watched stellar talent leave this institution, disgusted and disgruntled, because they were neither "nurtured and encouraged" nor paid what they deserved. We need long-term employees. Any statement to the contrary is narrow-minded and short-sighted. I'm tired of watching smart, talented, skilled employees walk away from my department in search of greener pastures, but I can't begrudge them the choice to have a better life elsewhere. I *can* begrudge management for that.

I have chosen Civil Service as a vocation. I am firmly committed to that vocation. I am willing to be paid less to live where I live and do what I do. My wife is a professional. We have a lucrative side-hustle. We have no kids. I'm not advocating for myself. I'm advocating for staff that don't have the security I have. I am advocating for fairness and sensible management. We are not the enemy. We *are* this institution.

At the negotiating table management was *routinely* poorly prepared, pompous, dismissive, and insulting, all of which were efforts to beleaguer Union negotiators in the hope we would concede to substandard wages and substandard employment conditions. These are not good faith negotiating tactics. They are predatory psychological tactics employed by persons in the upper ranks of the County's power structure who are uninterested in participating in a fair and equitable process. I find these negotiating tactics reprehensible and inexcusable.

I appeal to the Commissioners for a fair contract. We deserve it.

From: SMALLWOOD Summer <Summer.Smallwood@Co.Benton.OR.US>

Sent: Friday, December 3, 2021 3:18 PM

To: DALE Dawn <Dawn.Dale@CO.Benton.OR.US>

Subject: RE: REMINDER - Need your letters or acknowledgement to speak at BOC meeting on Tuesday December 7th @ approximately 9am

Message to the management:

Show the Commissioners that you care about our hard working, skilled and dedicated employees working for the county by giving them longevity pay and to all of us a decent cost of living raise. And that should not be 3% due to the fact that the current cost of living index is at 5%. We need to keep these people around, it is in the county's best interest.

It costs a lot of money and time to keep training new employees, trying to save money. This makes no sense. Give respect to your skilled work force, give more step raises and decent of COLAs!

The current contract and negotiations are embarrassing.

How many raises has management been given over their tenure?

Summer N. Smallwood

Administrative Specialist

541-766-6221 desk

541-766-6758 fax

Benton County Sheriff's Office

Community Corrections Division



My name is **Melissa Leon**. I have been working with the county for nine years and did a one-year unpaid internship before I was hired on as a Health Navigator. I have provided services for multiple different programs and teams throughout the years. During these nine years, I have seen countless talented and passionate employees leave the county as a result of a lack of respect from management or for better pay and benefits from other employers. I know how much it costs the county to continue its current process of recruiting, hiring, training, and terminating only just to repeat the same cycle again and again.

I want to share with you what I don't know if anyone has or will share with you regarding the Health Navigation team. I started working for the Health Navigation team as an intern and served on that team for quite a few years. On that team alone, the amount of employee turnover has been innumerable. Management was a very huge contributor to that turnover, if not the entirety of the reason for it. The team did not know that everyone was feeling the same way, as we were always divided and not allowed to speak much with each other as co-workers.

In April, we all were able to virtually discuss our issues and we involved the union. With their help, we drafted a letter we all signed and presented to Joe Kerby. We asked to meet with him as a united team. Instead, the only option given to us was to meet with Carla Jones one-on-one. This made the team scared to speak up, and then two of the management staff resigned. This was the "solution" that upper management had for the team. It wasn't one that was discussed with the team. One manager truly did need to go. There are endless reasons for that, including extreme micromanagement, lack of accountability, and lack of actual job knowledge. However, the behavior that crossed the line for me was sexual harassment. I did not speak up before when I thought it had only been me, but when I realized it had been happening to other employees as well, I brought this up to Carla Jones in our one-on-one meeting.

In April of this year, I was promoted to Lead Resource Navigator. I needed the money, as I was coming back from maternity leave and had not had a raise in years. Yet, I received little to no support from managers and instead, was expected to do their jobs without being paid their salary. Moreover, my team suffered the trauma of a workplace safety incident during my time as lead. We were all scared and hoping for support and results from management, only to have our safety concerns unaddressed despite having shared those concerns with management for years prior to the incident. I needed to leave the toxicity of that environment, but did not want to leave the county as this is where I have established my career and dedicated my time and skills.

I applied for and accepted a new position in a different program, even though it is less money than the Lead position, because I needed to leave Health Navigation. The skills and knowledge I bring to the new team are valued and I am quite happy where I am. The assets I bring to the new team have been learned from my previous teams' successes and failures, so I know how valuable it all truly is. However, I still struggle to provide for my family, including my newborn son, with little opportunity for continued growth and pay increase. By providing longevity pay, you will keep many more employees and have employees feel respected and valued, with opportunities to develop their careers at Benton County.

DALE Dawn

From: BAILEY Samantha
Sent: Monday, December 6, 2021 10:06 AM
To: DALE Dawn
Cc: OLSON Kailee
Subject: Sorry to be so late on this...

Let me start by saying I am a single 37 year old woman, working a full time job, and barely able to afford my studio apartment. I'm a transplant from a deeply conservative, right-to-work state, and I can attest that it is a rare form of heartache to be refreshed and invigorated by the rhetoric of compassion coming from the public face of our local government, and then hear on the back end of how those same institutions are reinforcing barriers that they publicly claim need dismantling. Many of the things disputed in this contract are simple, no cost courtesies: an automated email telling employees that they are about to lose their vacation time, a request that policies and assignments be written down and accessible to those impacted, allowing internal candidates to interview for open positions, notifying the union of upcoming disciplinary meetings.

And we cannot deny that the most hotly debated policies in question have an outsize impact on the most marginalized communities: requiring new hires to purchase their own tools and safety equipment is an unnecessary barrier to gainful employment for individuals already in poverty, and a tool replacement payment at hire does very little to combat this when pay periods are paid so far behind actual time worked. People devoted to working in public service for over a decade, typically at below market wages, cannot count on improving their rate of pay unless they consign themselves to moving into the public sector. Employees whose jobs are higher risk by nature must choose between their personal budgets and the recommended safety gear, because the county only resolves to pay for gear that is required.

Then to see the BOC offer a COLA to managers at a higher rate than the occupational employees, and offering to backdate it to the start of the fiscal year, while fighting to refuse the same to the represented employees? How demeaning. I don't know how to end this with anything other than my disappointment.

Dear Benton County Commissioners,

I have been with Benton County for 15 years and been a dedicated employee. I think this contract is important to me because I have not had a raise in 8 yrs. I have taken on more responsibility as our department lost our Administrative Assistant many years ago. I work hard every day and give my best service to our customers. It is hard to know that management gets raises and cost of living increases, because I work just as hard as them if not harder. I think we should all be treated the same and fairly. I have never worked for a company that did not have an interest in keeping their employees or giving raises. I have seen so many employees leave Benton County to find better jobs with better pay. Why not invest in us employees who have been loyal and dedicated, because in the long run the County will save money without having to keep searching to fill those vacant spots.

I feel that we are asking for a fair contract and management doesn't care. It's hard working for a company when you feel that you don't mean much, especially when they continually say no to everything, it's very upsetting.

I hope that we will get the support from you as our Commissioners and a contract that we deserve.

Thank you for listening.

Marcy Dailey

Dear Benton County Commissioners,

Thank you for this opportunity to share our thoughts and feedback about the upcoming contract. Here are the parts of Management's proposed contract that I have issues with:

- 1- The people who have worked through this COVID-19 pandemic really should each get something, and it should not just be some people are recognized and get a larger portion, as management has counter-proposed.
- 2- The people who have been here long term should have something to look forward to. Stopping all pay raises after x number of years, is like telling our staff that loyalty is not actually appreciated.
- 3- Our fleet maintenance staff work hard for us, and should have the tools they need and a budget to work with. I think providing work tools, boots, and upkeep for their work tools should be part of their position.

Thank you for hearing my concerns.

Sincerely,

Heather Schmadeka
Population Health Coordinator
Benton Health Center

Dear Board of Commissioners,

I am writing in regards to the AFSCME Union contract being negotiated right now. I do not find Management's position, as represented by the Management Bargaining Team, to be in the best interest of Benton County employees nor the public.

Wage studies show that many **Benton County employees are paid less than the market average and less than nearby cities/counties.**

- This means that we have a tough time attracting good candidates for job openings, which is a disservice to the public. Please ask the department heads for Community Development, IT, Public Works, and others how the low pay has negatively impacted getting qualified workers.
- The average length of service for a Benton County employee is 4 years, I've been told. They leave Benton County to earn more money elsewhere.
- For many positions, workers with more experience know more and provide better and more efficient customer service than workers with fewer years of experience. Therefore, the public is negatively impacted when so many employees are new to the job.
- Employees who have worked in departments for many years have more valuable knowledge and more institutional memory than newer employees. This makes the County function more effectively.

Because employees working here for more than 6 years have already suffered too many years with unfair pay, **Management should increase the pay to both Step 7 and Step 8, retroactive to July 1, 2021. It is ridiculous to make employees suffer low pay for yet another 12 months (Step 8 effective July 1, 2022) when many of us have been suffering low pay for our entire careers here.**

I think it is **for the benefit of the community to increase the County's deferred compensation contribution from 1.5% to 3%.** This equals only \$600/year additional for the average employee (\$40,000/year salary), but at least it is something to make the pay less unfair.

For the reasons stated above, it is beneficial to the public to have qualified, content employees who work for the County for many years. I have worked for Benton County for 17 years, despite the low pay, because I appreciate the good I can do for our community and I appreciate my boss and coworkers. But not everyone is able to make the financial sacrifice to work for Benton County.

Thank you for your consideration of how to obtain and keep qualified employees, so that Benton County can provide better service to our community.

Kristin Anderson

Benton County Community Development

(Doug Sackinger - Information Technology)
STATEMENT TO BOC, 12/7/2021:

I have worked for Benton County for 26 years. When I started in 1995, there were 6 steps of 5% each for each grade or classification. I attained step 6 in 2001 - 20 years ago. The position I currently hold is the same title and classification that I had in 1995. I enjoy my work, there are no higher paid GIS positions at Benton County, I never expected to become wealthy as a Public Employee. I was not interested in becoming a manager, but preferred the technical work that I perform for the Citizens and Staff at Benton County. I like my job. I have relied on COLAs and the very occasional classification/compensation studies to provide a lower middle class lifestyle in a high cost of living area. The last raise more than 2% that I received was in 2013. Since then, COLAs have been minimal - 2%, sometimes as low as 1%. As you may know, inflation averages between 2-3%, but has been much higher this last year (CPI-W = 6.1%). Housing costs in Benton County are higher than many other areas of Oregon. County employees deserve a wage that will support a family living in Corvallis. Our current compensation is often below regional comparative organizations, including COLAs, Longevity Pay, and Hazard pay. Over time, we will find that Recruitment and Retention of quality employees will become more difficult. I encourage you to consider investing in the employees of Benton County or you will likely see that infrastructure crumble over time.

Benton County Board of Commissioners:

I have not had a raise in 15 years since Benton County has chosen not to increase the salaries of its AFSCME Staff. I have been at Step 6 for that long now. If I didn't have to work part-time for health reasons, I would have left Benton County years ago for a better paying job elsewhere.

Since AFSCME Staff were not getting raises these past years, it came as a shock to me to hear my former boss, Kelly Volkmann, tell us at a team meeting that when we didn't do our jobs, it affected her raises! I had just assumed that management were not getting raises either, since they couldn't afford to increase AFSCME Staff's salaries.

It is really sad that management would rather have quality employees leave the County, time and time again, for higher paying jobs elsewhere. Staff gain valuable training and experience at Benton County, courtesy of the taxpayers, only to turn around and get a higher paying job elsewhere because of that very training and experience.

Benton County receives high praise for the work that they do. The people who make the County look so good, the AFSCME Staff, should be rewarded for their hard work and efforts. Without the AFSCME Staff, Benton County would not have the recognition that they do.

Benton County AFSCME Employees deserve better! Benton County AFSCME Employees deserve, and have earned, raises!

Thank you,

Deborah Rich
Health Navigator
East Linn Health Center

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 12/07/21

View [Agenda Tracker](#)

Suggested Placement * Work Session and Meeting

Department * Finance

Contact Name * Jenn Ambuehl

Phone Extension * 6257

Meeting Attendee Name * Jenn Ambuehl

Agenda Item Details



Item Title * Supplemental Budget 22061

Item Involves * Check all that apply

- ☐ Appointments
- ☒ Budget
- ☐ Contract/Agreement
- ☐ Discussion and Action
- ☐ Discussion Only
- ☐ Document Recording
- ☐ Employment
- ☐ Notice of Intent
- ☒ Order/Resolution
- ☐ Ordinance/Public Hearing 1st Reading
- ☐ Ordinance/Public Hearing 2nd Reading
- ☐ Proclamation
- ☐ Project/Committee Update
- ☒ Public Comment
- ☐ Special Report
- ☐ Other

Board/Committee Involvement *

☐ Yes

☒ No

Advertisement *

☒ Yes

☐ No

Names/Dates of Publications

List each publication name and date

Intend to publish notice of public hearing no less than 5 days prior to meeting in Gazette Times.

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues * Five funds require amendment of the budget in the 2021-23 biennium.

Please see the attached PDF for details on actions.

Options *

- 1. Approve as proposed
- 2. Modify and approve
- 3. Hold for further discussion
- 4. Do not approve

Fiscal Impact *

- ☒ Yes
- ☐ No

The actions will increase appropriations within five funds.

Fiscal Impact Description *

Please see attached PDF for fiscal impact by fund.

2040 Thriving Communities Initiative

Mandated Service? ^{*} ☒ Yes
☐ No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Mandated Service Description ^{*} If this agenda checklist describes a mandated service or other function, please describe here.

ORS 294.100: It is unlawful for any public official to spend money in excess of the amounts provided by law, or for any different purpose.

ORS 294.338: It is unlawful to expend money unless authorized by Local Budget Law.

ORS 294.456(6): After the governing body has enacted the resolutions necessary to adopt the budget as required, an expenditure of public money may not be made for any purpose in an amount greater than the amount appropriated, except as provided in ORS 294.338 [exceptions to the budget process], 294.478 [emergency educational expenditures], 294.463 [appropriation transfers], 294.471 and 294.473 [supplemental budgets].

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values ^{*} Select all that apply.

- ☐ Vibrant, Livable Communities
- ☐ Supportive People Resources
- ☐ High Quality Environment and Access
- ☐ Diverse Economy that Fits
- ☐ Community Resilience
- ☐ Equity for Everyone
- ☐ Health in All Actions
- ☒ N/A

Explain Core Values Selections ^{*} N/A

Focus Areas and Vision ^{*} Select all that apply.

- ☐ Community Safety
- ☐ Emergency Preparedness
- ☐ Outdoor Recreation
- ☐ Prosperous Economy
- ☐ Environment and Natural Resources
- ☐ Mobility and Transportation
- ☐ Housing and Growth
- ☐ Arts, Entertainment, Culture, and History
- ☐ Food and Agriculture
- ☐ Lifelong Learning and Education
- ☒ N/A

Explain Focus Areas N/A
and Vision
Selection *

Recommendations and Motions

Item Recommendations and Motions

Staff
Recommendations * Financial Services staff recommends approval of Supplemental Budget 22031 as presented.

Work Session
Motions * I move to ...
I move to forward this item to the December 21, 2021 board meeting for public hearing.

Meeting Motions * I move to ...
I move to adopt Resolution #R2021-026 in the matter of Supplemental Budget 22061.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

Supplemental Budget Packet 22061.pdf	910.72KB
Resolution Supplemental Budget - 22061.docx	20.23KB

Comments (optional) If you have any questions, please call ext.6800

Department Approver MARY OTLEY

Department Approval

Comments

Signature

A handwritten signature in cursive script, reading "Mary K. Otley", is displayed within a light gray rectangular box.

BOC Initial Approval

Approvals Required ☐ Counsel
☐ Finance
☐ HR

County Administrator Approver JOE KERBY

Comments

County Administrator Approval

Comments

Signature

Theresa Kelly

BOC Final Approval

Comments

Signature

Teresa Foley

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**

**In the Matter of Supplemental)
Number 22061 Amending) **RESOLUTION #R2021-026**
the 2021-23 Biennium Budget)**

WHEREAS, the details of the supplemental budget actions summarized below have been examined by staff and the Benton County Board of Commissioners, and;

WHEREAS, these actions require amendments to the current biennium budget due to unforeseeable events and changes in operating conditions, and;

WHEREAS, notice concerning these actions was provided as required by law and the Board of Commissioners have conducted a public hearing as required by law:

THEREFORE, BE IT RESOLVED, that Fund and Program appropriations of the 2021-23 biennial budget are adjusted as listed below:

In the General Fund (001):

General Government (10) Operations is decreased \$1,125,000
Public Safety (15) Operations is increased \$80,913
Health Operations (25) Operations is increased \$2,304,305
Justice Services (30) Operations is increased \$54,225
Transfers is increased \$1,125,000

American Rescue Plan Fund (107):

General Government (10) Operations is increased \$1,870,000
Transfers is increased \$2,780,000

Special Grant Fund (114):

Community Services (35) Operations is increased \$150,000
Transfers is increased \$70,000

IntraGovernmental Services Fund (514):

General Government (10) Operations is increased \$2,405,000
Public Safety (15) Operations is increased \$7,600

Benton Health Center Fund (521):

Health Operations (25) Operations is increased \$875,000
Contingency is decreased \$260,028

Adopted this _____ day of _____, 2021.

Signed this _____ day of _____, 2021.

BENTON COUNTY BOARD OF COMMISSIONERS

Xanthippe Augerot, Chair

Nancy Wyse, Commissioner

Pat Malone, Commissioner

General Fund:

- **General Government Operations** – decrease \$1,125,000
 - Decrease appropriations to:
 - Establish Transfer authority to reallocate funds to Fund 514 for Phase 2 of the Kalapuya building remodel
- **Transfers** – increase \$1,125,000
 - Funding Source – decrease Materials & Supplies in General Government Operations
 - Increase to establish appropriation authority to move CARES and FEMA reimbursed payroll costs to Fund 514 for Phase 2 of the Kalapuya building remodel
- **Public Safety Operations** – increase \$80,913
 - Funding Source – Federal grant from Homeland Security
 - Increase appropriations for:
 - Professional Services for radio infrastructure assessment and improvement plan for responding agencies in the area
- **Health Operations** – increase \$2,304,305
 - Funding Source – Carryover of funds from 3 Public Health awards in prior biennium, plus additional funding for current biennium
 - Increase appropriations for:
 - Personal Services to cover costs of Department Operations Center staffing previously covered by FEMA
 - Materials & Services for COVID testing and other miscellaneous supplies
- **Justice Services Operations** – increase \$54,225
 - Funding Source – Higher than anticipated carryover funding within CAMI grant.
 - Increase appropriations for:
 - Law Enforcement Overtime Reimbursement as was written into grant agreement

General Fund Summary

Operations – \$1,314,443
Transfers – \$1,125,000

American Rescue Plan Fund:

- **General Government Operations** – net increase \$1,870,000 (decrease \$2,780,000; increase \$4,650,000)
 - Funding Source – Anticipated additional ARPA funding for projects approved under Senator Gelser, Representatives Rayfield, and DeFazio
 - Decrease appropriations:
 - In Materials & Services to establish a transfer to Fund 514 for Phase 2 of Kalapuya remodel
 - In Materials & Services to establish transfer within the fund for portion of Crisis Respite Center not covered by new revenue
 - Increase appropriations for:
 - Payments to other Governments for projects approved under Senator Gelser
 - \$250,000 for Radio Repeaters
 - \$550,000 for Food Hub
 - Capital Outlay for Wildfire Evacuation routes approved under Senator Gelser and for the Crisis Respite Center
 - \$350,000 for Evacuation Routes
 - \$3,500,000 for Crisis Respite Center
- **Transfers** – increase \$2,780,000
 - Increase appropriations to:
 - Transfer appropriation authority for Phase 2 of Kalapuya remodel and for Crisis Respite Center

ARP Fund Summary

Operations – \$1,870,000

Transfers – \$2,780,000

Special Grant Fund:

- **Community Services Operations** – increase \$150,000
 - Funding Source – Community Development Block Grants
 - MicroEnterprise
 - Increase appropriations for:
 - Pass through contracts to outside agencies per agreement.
- **Transfers** – increase \$70,000
 - Increase appropriation to establish transfer within the fund for increased Community Services Consortium administrative costs under Housing Assistance

Special Grant Fund Summary

Operations – \$150,000

Transfers – \$70,000

IntraGovernmental Services Fund:

- **General Government Operations** – increase \$2,405,000
 - Funding Source: Transfer revenue from General Fund and American Rescue Plan Fund
 - Increase appropriations for:
 - Capital Outlay for Phase 2 of Kalapuya building remodel
- **Public Safety Operations** – increase \$7,600
 - Funding Source: Federal grant award from Bureau of Justice Administration
 - Increase appropriation for:
 - Materials & Services for Bulletproof Vest replacements

IntraGovernmental Services Fund Summary

Operations – \$2,412,600

Benton Health Center Fund:

- **Health Operations** – increase \$875,000
 - Funding source: Increased revenue HRSA award
 - Increase appropriations for:
 - Capital Outlay for Data warehouse project.
- **Contingency** – decrease \$260,028
 - Decrease appropriation to move authority for County's share of Data warehouse

Benton Health Center Fund Summary

Operations – \$875,000
Contingency – (\$260,028)

001 General Fund				
Division	Account Code	Adopted Budget	Supplemental	Revised Budget
60 - Non Departmental				
Materials & Supplies	001-60-10-102-601000-	950,762	(875,000)	75,762
Materials & Supplies	001-60-10-103-601000-	4,326,619	(250,000)	4,076,619
Materials & Services Category Totals		5,277,381	(1,125,000)	4,152,381
Transfer to Fund 514	001-60-10-102-816125-	-	875,000	875,000
Transfer to Fund 514	001-60-10-103-816125-	-	250,000	250,000
Transfer Expense Category Totals		-	1,125,000	1,125,000
Requirement Totals		5,277,381	-	5,277,381
Total Division 60 Requirements		30,260,610	-	30,260,610
<u>Comments:</u> Transfer appropriation created to move CARES and FEMA reimbursed payroll costs to Fund 514 for Phase 2 of the Kalapuya building remodel.				

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
12 - Patrol & Investigation				
Federal: Homeland Security	001-12-15-363-482410-	-	80,913	80,913
Operating Grants/Contributions Category Totals		-	80,913	80,913
Resource Totals		-	80,913	80,913
Professional Services	0001-12-15-363-650000-	-	80,913	80,913
Materials & Services Category Totals		-	80,913	80,913
Requirement Totals		-	80,913	80,913
Total Division 12 Resources		499,070	80,913	579,983
Total Division 12 Requirements		12,944,816	80,913	13,025,729
<u>Comments:</u> Increase appropriation authority in Materials & Services for a radio infrastructure assessment and improvement plan for responder agencies within the area. Funded by an award from Homeland Security that was applied for and received after budget adoption.				

001 General Fund

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
32 - Public Health Services				
Federal: COVID	001-32-25-508-482421-	-	170,812	170,812
Operating Grants/Contributions Category Totals		-	170,812	170,812
Restricted Beginning Balance	001-32-25-508-401200-	-	2,133,493	2,133,493
Restricted Balance Category Totals		-	2,133,493	2,133,493
Resource Totals		-	2,304,305	2,304,305
Fema Related Personnel	001-32-25-508-589100-	-	1,191,143	1,191,143
Employee Benefits	001-32-25-508-599000-	380,958	893,162	1,274,120
Personal Services Category Totals		380,958	2,084,305	2,465,263
Materials & Supplies	001-32-25-508-601000-	3,000	100,000	103,000
Contracted Services	001-32-25-508-606000-	195,806	120,000	315,806
Materials & Services Category Totals		198,806	220,000	418,806
Requirement Totals		579,764	2,304,305	2,884,069
Total Division 32 Resources		4,805,264	2,304,305	7,109,569
Total Division 32 Requirements		7,234,247	2,304,305	9,538,552

Comments:

Establish restricted balance for carryover of unspent COVID funds from 19/21 biennium and increase COVID revenue for new funding. Increase to Personal Services for DOC staffing, previously paid by FEMA, for remainder of biennium. Increased materials and services for COVID testing and other miscellaneous supplies.

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
08 - District Attorney				
Restricted Beginning Balance	001-08-30-705-401200-	47,400	54,225	101,625
Restricted Balance Category Totals		47,400	54,225	101,625
Resource Totals		47,400	54,225	101,625
LE Overtime Reimbursement	001-08-30-705-632700-	20,000	54,225	74,225
Materials & Services Category Totals		20,000	54,225	74,225
Requirement Totals		20,000	54,225	74,225
Total Division 08 Resources		1,326,542	54,225	1,380,767
Total Division 08 Requirements		7,838,405	54,225	7,892,630

Comments:

Due to the effects of the COVID-19 pandemic the program was allowed to carry over more than the standard 10%. Beginning balance is increased to reflect actual funds available. Increased LE Overtime reimbursement per grant agreement.

107 American Rescue Plan Fund

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
60 - Non Departmental				
State: American Rescue Plan	107-60-10-110-474101-	-	350,000	350,000
State: American Rescue Plan	107-60-10-111-474101-	-	250,000	250,000
State: American Rescue Plan	107-60-10-112-474101-	-	550,000	550,000
State: American Rescue Plan	107-60-10-113-474101-	-	2,000,000	2,000,000
Operating Grants/Contributions Category Totals		-	3,150,000	3,150,000
Intrafund Transfer	107-60-10-113-404001-	-	1,500,000	1,500,000
Transfer Revenue Category Totals		-	1,500,000	1,500,000
Resource Totals		-	4,650,000	4,650,000
Materials & Supplies	107-60-10-104-601000-	5,000,000	(2,780,000)	2,220,000
Payment to Other Governments	107-60-10-111-690000-	-	250,000	250,000
Payment to Other Governments	107-60-10-112-690000-	-	550,000	550,000
Materials & Services Category Totals		5,000,000	(1,980,000)	3,020,000
General Capital Outlays	107-60-10-110-780000-	-	350,000	350,000
Bldg. & Bldg. Improvements	107-60-10-113-780400-	-	3,500,000	3,500,000
Capital Outlay Category Totals		-	3,850,000	3,850,000
Transfer to Fund 514	107-60-10-104-816125-	-	1,280,000	1,280,000
Intrafund Transfer	107-60-10-104-817001-	-	1,500,000	1,500,000
Transfer Expense Category Totals		-	2,780,000	2,780,000
Requirement Totals		5,000,000	4,650,000	9,650,000
Total Division 60 Resources		18,147,056	4,650,000	22,797,056
Total Division 60 Requirements		18,147,056	4,650,000	22,797,056

Comments:

Create appropriation authority for projects approved under Senator Gelser for Senate District 8. Benton County Wildfire Evacuation routes - \$350,000, Radio Repeaters for Fire Department and EMS - \$250,000, Food Hub for S. Corvallis Economic Development - \$550,000. Create transfer appropriation to move discretionary ARPA revenue to Fund 514 for Phase 2 remodel of Kalapuya Building.

114 Special Grant Fund

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
60 - Non Departmental				
Federal: Direct Grants	114-60-35-739-482000-	-	150,000	150,000
Operating Grants/Contributions Category Totals		-	150,000	150,000
Intrafund Transfer	114-60-35-746-404001-	-	70,000	70,000
Transfer Revenue Category Totals		-	70,000	70,000
Resource Totals		-	220,000	220,000
Materials & Supplies	114-60-35-740-601000-	122,238	(70,000)	52,238
Pass Through Contracts	114-60-35-739-621000-	-	150,000	150,000
Pass Through Contracts	114-60-35-746-621000-	600,000	70,000	670,000
Materials & Services Category Totals		722,238	150,000	872,238
Intrafund Transfer	114-60-35-740-817001-	-	70,000	70,000
Transfer Expense Category Totals		-	70,000	70,000
Requirement Totals		722,238	220,000	942,238
Total Division 60 Resources		1,314,000	220,000	1,534,000
Total Division 60 Requirements		1,314,000	220,000	1,534,000
Comments: Establish budget for MicroEnterprise grant. Established in prior biennium but not rolled over as funds were never received. Establish transfer from Benton Opportunity funds to Housing Assistance for increased Community Services Consortium administrative costs.				

514 Intragovernmental Services Fund

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
46 - Facilities				
Transfer from Fund 001	514-46-10-246-403010-	1,076,001	1,125,000	2,201,001
Transfer from Fund 107	514-46-10-246-403014-	-	1,280,000	1,280,000
Transfer Revenue Category Totals		1,076,001	2,405,000	3,481,001
Resource Totals		1,076,001	2,405,000	3,481,001
Bldg & Bldg Improvements	514-46-10-246-780400-	3,923,928	2,405,000	6,328,928
Capital Outlay Category Totals		3,923,928	2,405,000	6,328,928
Requirement Totals		3,923,928	2,405,000	6,328,928
Total Division 46 Resources		13,112,530	2,405,000	15,517,530
Total Division 46 Requirements		13,112,530	2,405,000	15,517,530
<u>Comments:</u> Increased appropriation authority in Capital Outlay for Kalapuya remodel. Funding for project is coming from discretionary ARPA funding and reimbursed payroll costs from CARES and FEMA transferred in from the General Fund.				

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
11 - Sheriff Administration				
Federal: Bureau of Justice	514-11-15-390-482416-	9,600	7,600	17,200
Operating Grants/Contributions Category Totals		9,600	7,600	17,200
Resource Totals		9,600	7,600	17,200
Materials & Supplies	514-11-15-390-606000-	34,255	7,600	41,855
Materials & Services Category Totals		34,255	7,600	41,855
Requirement Totals		34,255	7,600	41,855
Total Division 11 Resources		889,988	7,600	897,588
Total Division 11 Requirements		889,988	7,600	897,588
<u>Comments:</u> Increased appropriation authority in Materials & Services towards replacements of Bulletproof Vests. Award from Bureau of Justice Authority applied for and received after budget adoption.				

521 Benton Health Center Fund

Division	Account Code	Adopted Budget	Supplemental	Revised Budget
90 - Health Center Administration				
Federal: FQHC COVID	521-90-25-100-482011-	-	614,972	614,972
Operating Grants/Contributions Category Totals		-	614,972	614,972
Resource Totals		-	614,972	614,972
General Capital Outlays	521-90-25-100-780000-	-	875,000	875,000
Capital Outlay Category Totals		-	875,000	875,000
Contingency	521-90-25-101-955000-	1,826,622	(260,028)	1,566,594
Contingency Category Totals		1,826,622	(260,028)	1,566,594
Requirement Totals		1,826,622	614,972	2,441,594
		-		
Total Division 90 Resources		4,186,687	614,972	4,801,659
Total Division 90 Requirements		4,522,008	614,972	5,136,980
Comments: Received HRSA funding for Data warehouse project. Increased Capital Outlay for the anticipated cost of project, and reduced contingency by the amount the County is expected to contribute to the project.				

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 12/07/21

View [Agenda Tracker](#)

Suggested Placement * Work Session

Department * PARKS EVENTS

Contact Name * Lynne McKee

Phone Extension * 6090

Meeting Attendee Name * Lynne McKee & Steve Mileham/Wayne Goeas from LRS Architects

Agenda Item Details



Item Title * Review of Benton County Event Center Exhibit Hall and Covered Arena Architectural Designs

Item Involves * Check all that apply

- ☐ Appointments
- ☐ Budget
- ☐ Contract/Agreement
- ☐ Discussion and Action
- ☒ Discussion Only
- ☐ Document Recording
- ☐ Employment
- ☐ Notice of Intent
- ☐ Order/Resolution
- ☐ Ordinance/Public Hearing 1st Reading
- ☐ Ordinance/Public Hearing 2nd Reading
- ☐ Proclamation
- ☒ Project/Committee Update
- ☐ Public Comment
- ☐ Special Report
- ☐ Other

Estimated Time * 30 minutes

Board/Committee Involvement *
☒ Yes
☐ No

**Name of
Board/Committee**

Fair Board

Advertisement*

☐ Yes

☒ No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

In March 2019, the Benton County Board of Commissioners approved an updated Facilities Master Plan developed by Markin Consulting for the Benton County Event Center & Fairgrounds. The master plan calls for the conversion of the existing indoor arena into an exhibit hall to support larger public events, in addition to covering the outdoor arena to make it usable to renters year-round. The architectural design contract for both projects was awarded to LRS Architects.

The following meetings were held with LRS Architects to gather input on the proposed designs:

October 25, 2021: Stakeholder meeting for Exhibit Hall

October 26, 2021: Public Meeting via GTM

October 26, 2021: Fair Foundation Board Meeting

October 28, 2021: Visit Corvallis Board Meeting

October 28, 2021: Stakeholder meeting for Covered Arena

November 15, 2021: Toured Linn County Expo Center exhibit hall with facility director

November 15, 2021: Fair Board Retreat

Relevant county staff, including NAPE Director Lynne McKee, IT Director Adam Loerts, Facilities Manager Paul Wallsinger, NAPE Deputy Director Jesse Ott, NAPE Maintenance Manager Shane Galloway, and NAPE Working Foreman Doug Covey have been involved throughout the design process.

The draft architectural designs resulting from the input of these meetings is being presented to the Board of Commissioners for review and comment during the December 7, 2021 work session. Steve Mileham and Wayne Goeas from LRS Architects will be in attendance to participate in the discussion. A second public meeting will be scheduled to update community members on the design process.

Once final designs are approved, schematic design will take 7 weeks and design development 10 weeks, after which construction documents will follow.

Markin Consulting provided a proposal (attached) to update the market demand study portion of the Facilities Master Plan to address anticipated post-COVID impacts on future rental business and revenues. The Fair Board discussed the proposal and recommends that the county not expend the funds. Board members determined that post-COVID rental activity is too uncertain at the moment for a consultant to be able to provide reliable data.

Options *

1. Direct staff and LRS Architects to proceed with architectural designs as presented
2. Direct staff and LRS Architects to make modifications to the designs based on meeting discussions

Fiscal Impact *

- ☒ Yes
☐ No

Fiscal Impact Description *

To be determined based on final design specifications

2040 Thriving Communities Initiative

Mandated Service? * ☐ Yes ☒ No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values *

Select all that apply.

- ☒ Vibrant, Livable Communities
- ☐ Supportive People Resources
- ☐ High Quality Environment and Access
- ☒ Diverse Economy that Fits
- ☐ Community Resilience
- ☐ Equity for Everyone
- ☐ Health in All Actions
- ☐ N/A

Explain Core Values Selections *

The exhibit hall and arena upgrades will support larger public events which provide quality of life entertainment and educational opportunities for Benton County residents and attract visitors to the area.

Focus Areas and Vision *

Select all that apply.

- ☐ Community Safety
- ☐ Emergency Preparedness
- ☐ Outdoor Recreation
- ☒ Prosperous Economy
- ☐ Environment and Natural Resources
- ☐ Mobility and Transportation
- ☐ Housing and Growth
- ☒ Arts, Entertainment, Culture, and History
- ☒ Food and Agriculture
- ☒ Lifelong Learning and Education
- ☐ N/A

Explain Focus Areas and Vision Selection *

The larger events supported by upgraded facilities will support the local economy and provide entertainment and educational opportunities.

Recommendations and Motions

Item Recommendations and Motions

Staff	Direct staff and LRS Architects to proceed with the design phase of the exhibit hall
Recommendations *	and covered arena based on the discussions during the BOC work session.

Work Session	I move to ...
Motions *	I move to direct staff and LRS Architects to proceed with the architectural design phase of the Benton County Event Center & Fairgrounds exhibit hall and covered arena based on work session discussions.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

221330 Benton CF Exhibit Plan 112421.pdf	386.49KB
221330 Benton CF Exhibit Plan Aerial 112421.pdf	1.26MB
Markin Consulting Proposed Work Plan.pdf	262.02KB

Comments (optional)

Covered arena plan attachment will be added once received from LRS Architects
If you have any questions, please call ext.6800

**Department
Approver**

LYNNE MCKEE

Department Approval

Comments

Signature

Elyse McKee

BOC Initial Approval

Approvals Required ☒ Counsel ☒ Finance ☐ HR

Counsel Approver VANCE CRONEY
Finance Approver RICHARD CRAGER
County Administrator JOE KERBY
Approver
Comments

Counsel Approval

Comments

Signature



Vance H. Cheney

Finance Approval

Comments

Signature



County Administrator Approval

Comments

Signature

Theresa Kelly

BOC Final Approval

Comments

Signature

Teresa Foley



November 12, 2021

Ms. Lynne McKee
Director of Benton County Natural Areas, Parks and Events
110 SW 53rd St, Corvallis, OR 97333

Dear Lynne:

Markin Consulting is pleased to submit this proposed work plan to assist in future planning for the development and operation of a proposed Exhibit Building (current indoor arena) and Covered Arena (together "Planned Facilities") at the Benton County Exposition Center and Fairgrounds recommended in the adopted 2019 Master Plan, prepared by Markin Consulting LLC.

This proposal is in response to the interest of the Benton County Fair Board ("Client") in understanding the near-term market demand for events and uses for the Planned Facilities in light of both the passage of time since adoption of the 2019 Master Plan and the impacts of Covid-19 to the event market.

PROPOSED SCOPE OF WORK

Evaluation of Market Demand Potential

To identify, assess and evaluate the potential near-term market demand for events and uses for the proposed Planned Facilities, including events and uses in conjunction with other existing Fairground facilities, the following work steps will be conducted:

- General review and understanding of current Covid-19 restrictions and protocols in the state of Oregon, city of Corvallis, and Benton County.
- Conduct interviews with other fairground and event center management (located in and outside of Oregon) to identify near-term and long-term impacts of Covid-19 to the event facilities industry and approaches to optimize opportunities for the return of events and usage of fairgrounds and event centers in a post-Covid timeframe.
- Review with Client representatives (1) the results of all stakeholder sessions conducted by the Client and (2) input from any other sources on the felt needs and uses for the Planned Facilities.
- Conduct assessments of local and regional event facilities that may compete with the Planned Facilities, including exhibition-type facilities, horse-event facilities, and others. This assessment will include
 - interview of management of the competitive facilities
 - comparison of facility sizing, amenities, location, and pricing
 - review of current and prospective utilization of these facilities
 - identification of impact on demand potential of Planned Facilities

- For select events and uses, conduct interviews/surveys of event planners and potential users to identify general demand and specific interest in using the Planned Facilities, specifically post-Covid. All relevant facility needs, including design features, will be identified.
- Based on the results of the previous work steps, Markin Consulting will identify potential market niches and target markets that could be attracted to use the Planned Facilities in near term, post-Covid timeframe. Utilization estimates will be prepared and expressed in terms of events by type, event days by type, attendance, and space requirements.

Assessment of Financial Impacts

Using the results of the Evaluation of Market Demand Potential, Markin Consulting will conduct a financial assessment for the future operations of the Planned Facilities. This assessment will include:

- Rental, Operating, and Marketing Policies Recommendations
- Financial Projections

Rental, Operating and Marketing Recommendations

Markin Consulting will identify and recommend rental, staffing, operating, and marketing policies that would maximize the utilization and financial return of potential target markets and niches for the Planned Facilities. These policies include market supportable rental rates for the facilities and equipment, user policies, staffing requirements, and approaches to marketing the Planned Facilities.

Financial Projections

Using the results of the Evaluation of Market Demand Potential, we will prepare financial projections for the operation of the Planned Facilities. These projections will involve statements of revenues and expenses and cash flows. Included in these financial projections, as appropriate, are the following:

<u>Revenues</u>	<u>Expenses</u>
Building rentals	Payroll costs
Equipment rentals	Contracted services
Concession revenues	Utilities
Parking revenues	Insurance
Advertising/sponsorships	Repairs and maintenance
Long-term rentals	Other expenses
Other revenues	

Opportunities for increased net revenue from operation of the annual Benton County Fair & Rodeo with the Planned Facilities will be included in these projections.

Ms. Lynne McKee
November 12, 2021
Page 3

Review of Market Demand and Financial Assessment

Markin Consulting will review the results of the market demand analysis and assessment of potential financial impacts with Client representatives and LRS Architects to ensure all relevant issues are addressed and all design implications for the Planned Facilities are identified.

Report Submittal

A letter report will be prepared and submitted at the conclusion of our analyses. The letter report will summarize the work conducted and resulting assessments, analyses, and recommendations for the Planned Facilities.

TIMING AND COST OF SERVICES

Based on the proposed scope of work, work would begin December 6, 2021, and would be completed before the end of February 2022.

The cost for these services is \$11,500. No travel is included in the cost of services.

Sincerely

A handwritten signature in black ink, appearing to read "Rod Markin", with a stylized flourish at the end.

Rod Markin, President
Markin Consulting LLC

ARENA

CONCEPT DESIGN



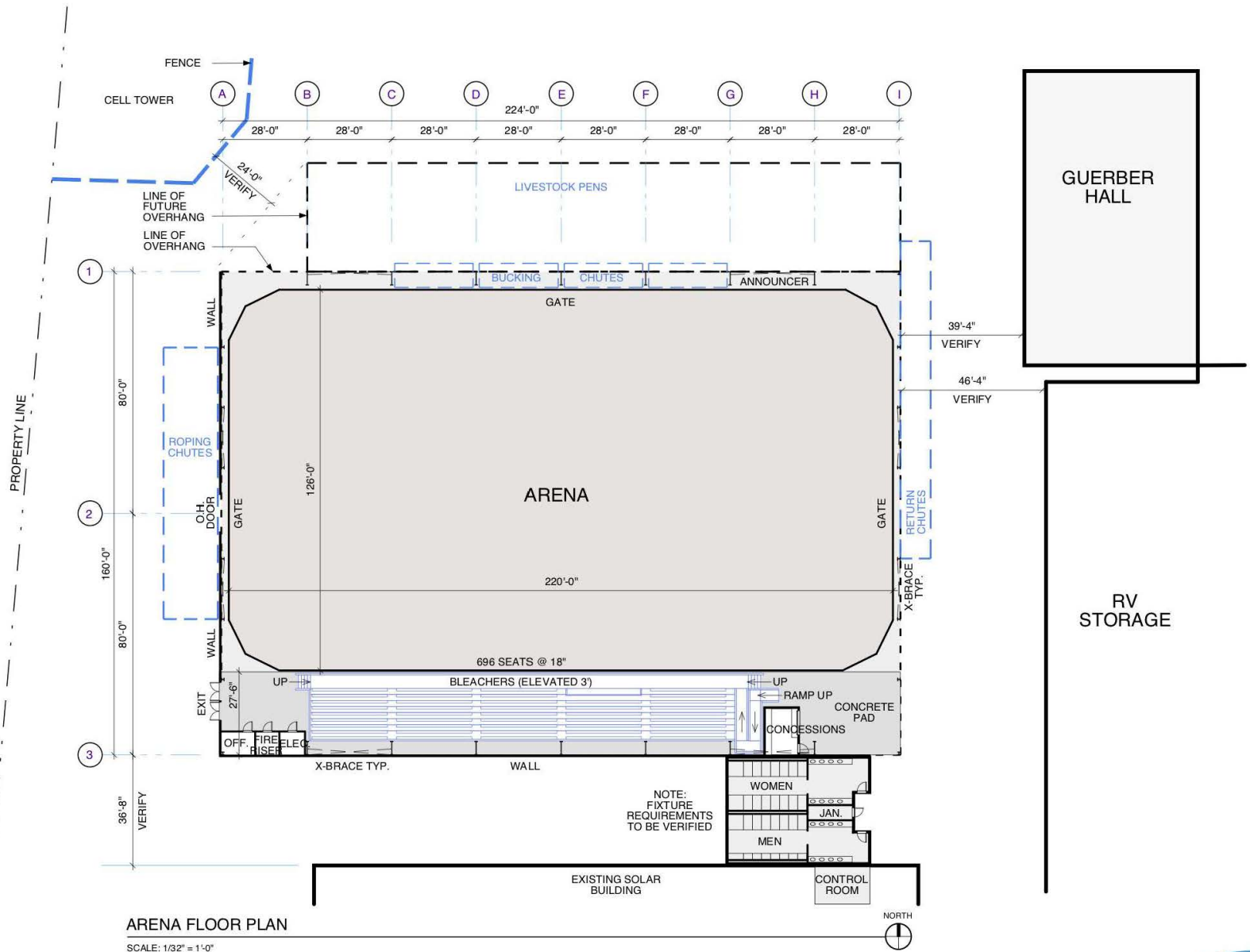
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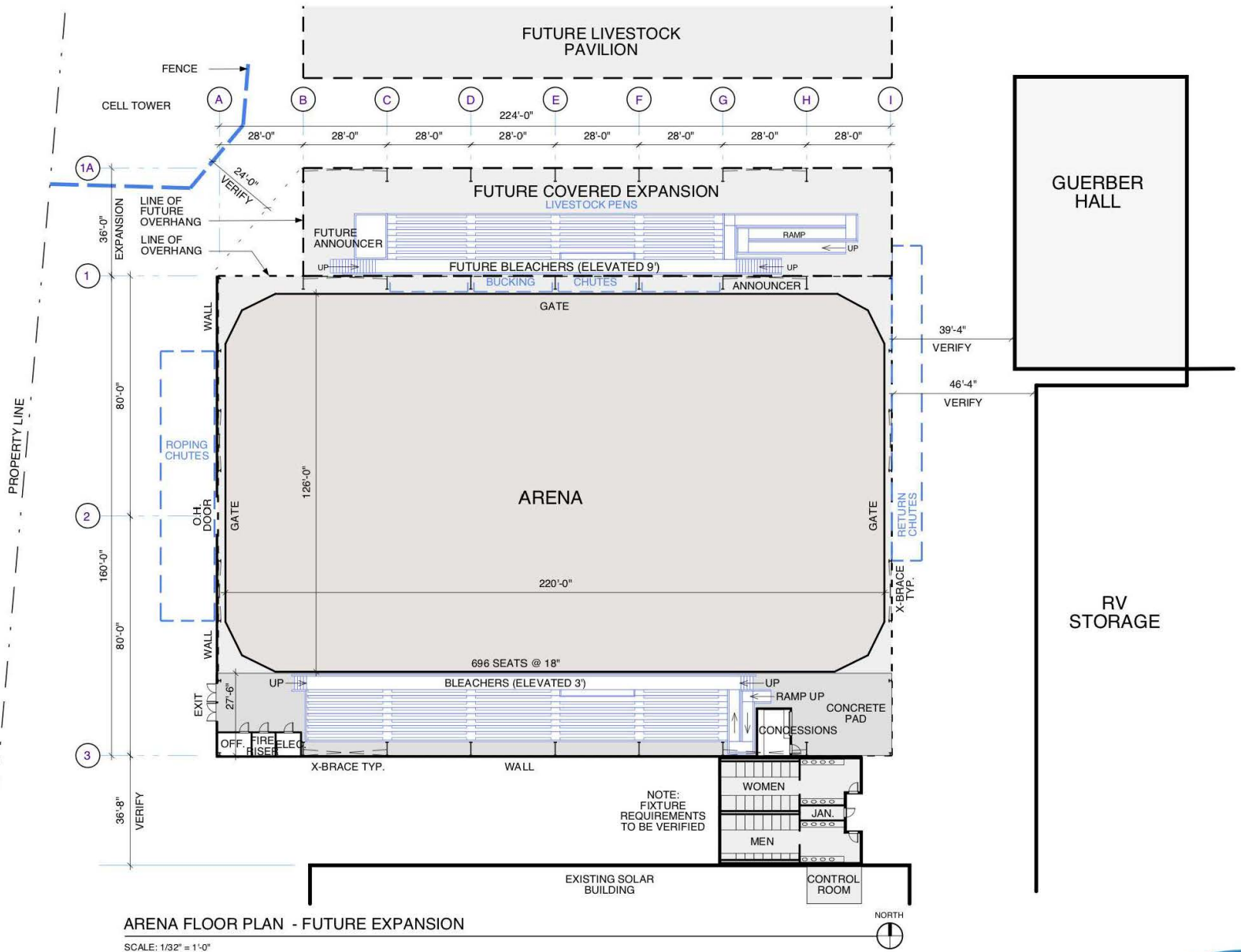
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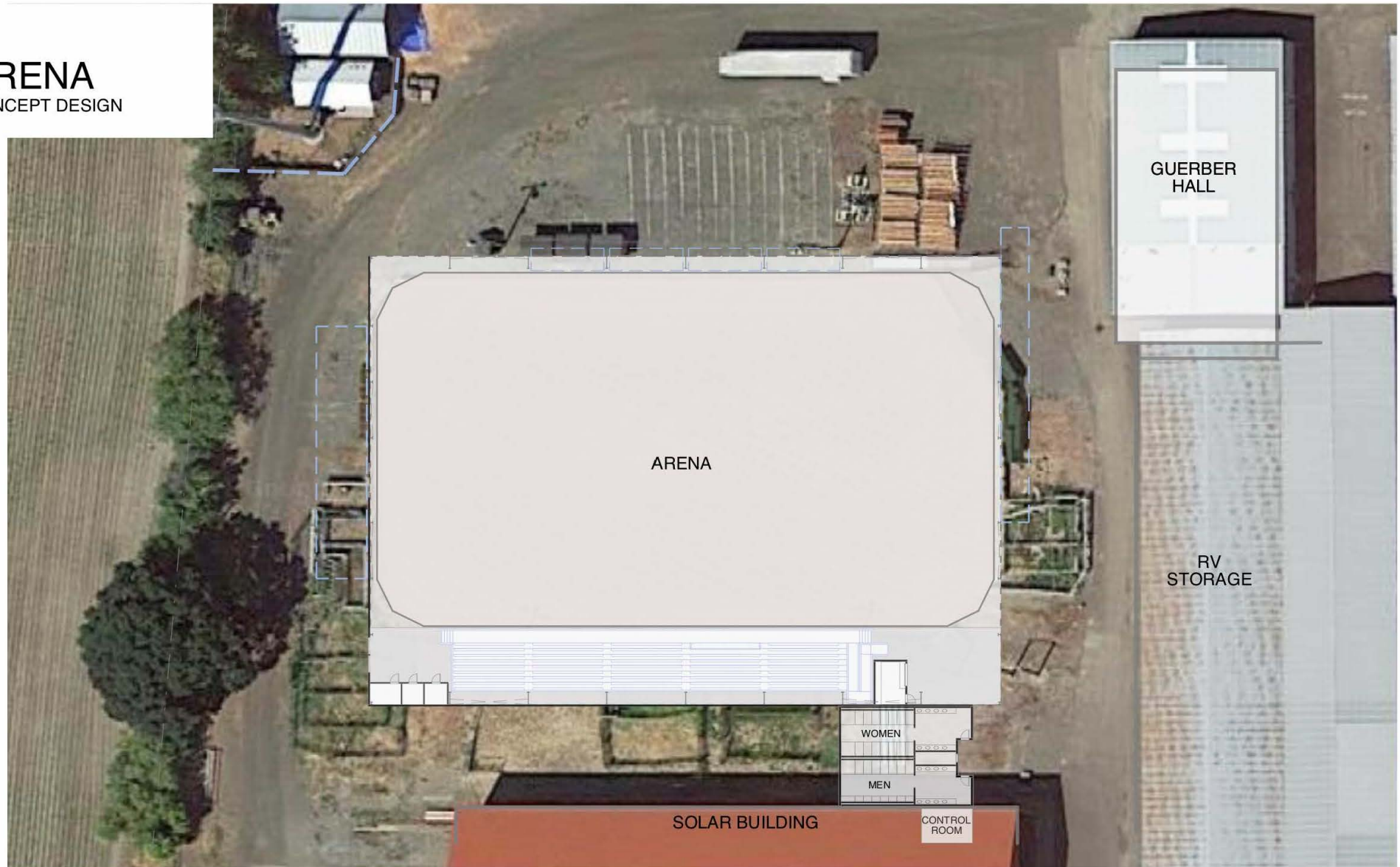
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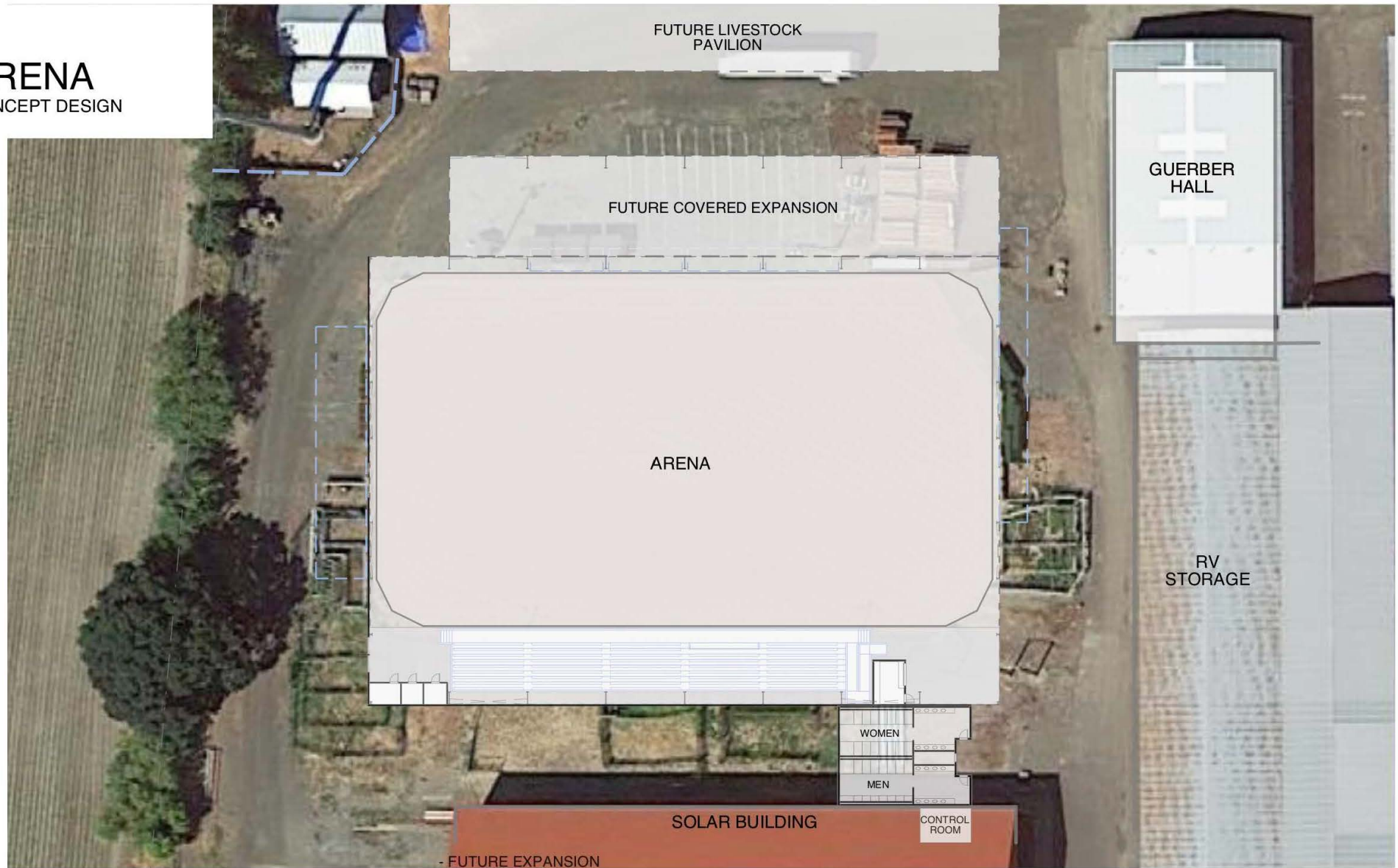
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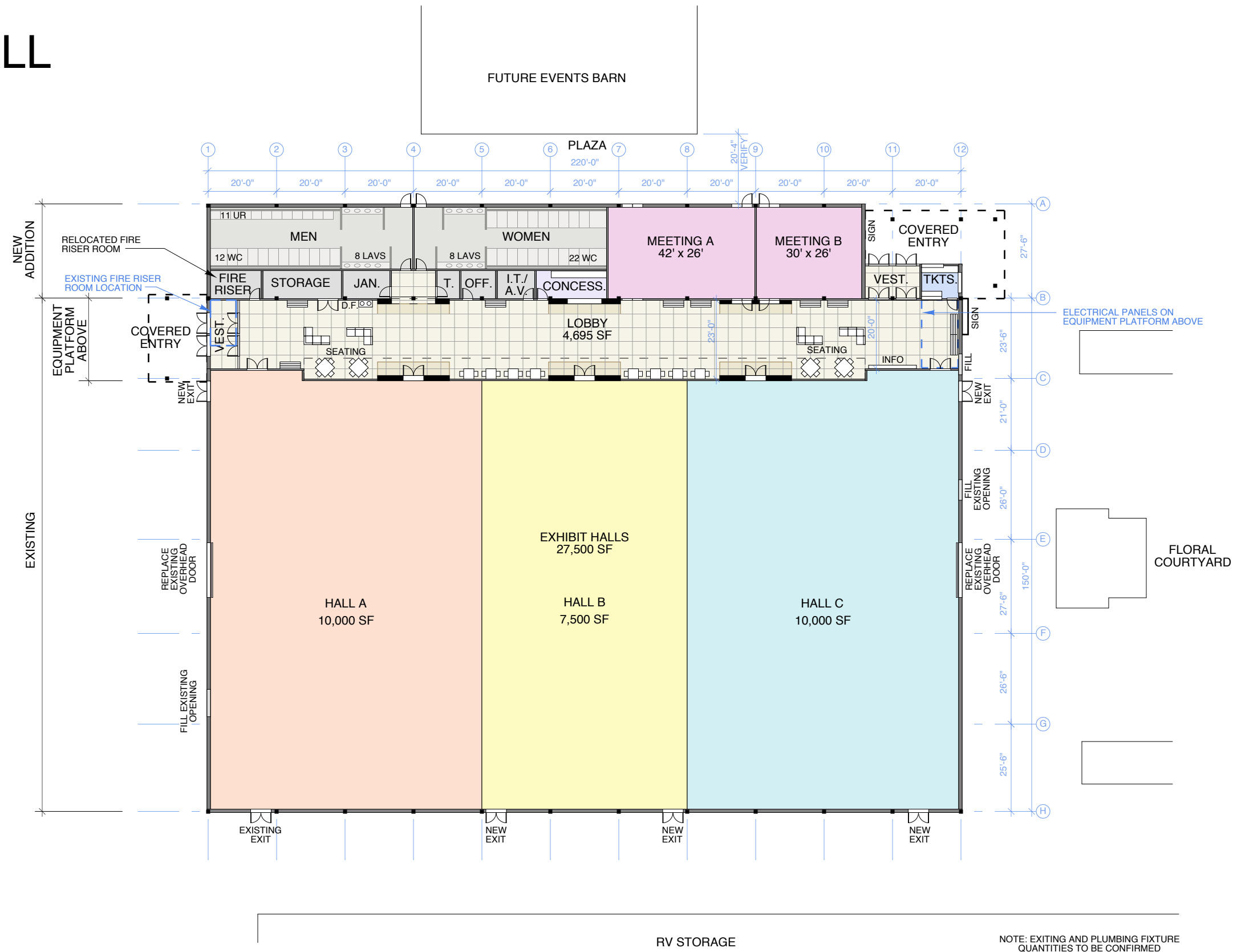
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EXHIBIT HALL

CONCEPT DESIGN



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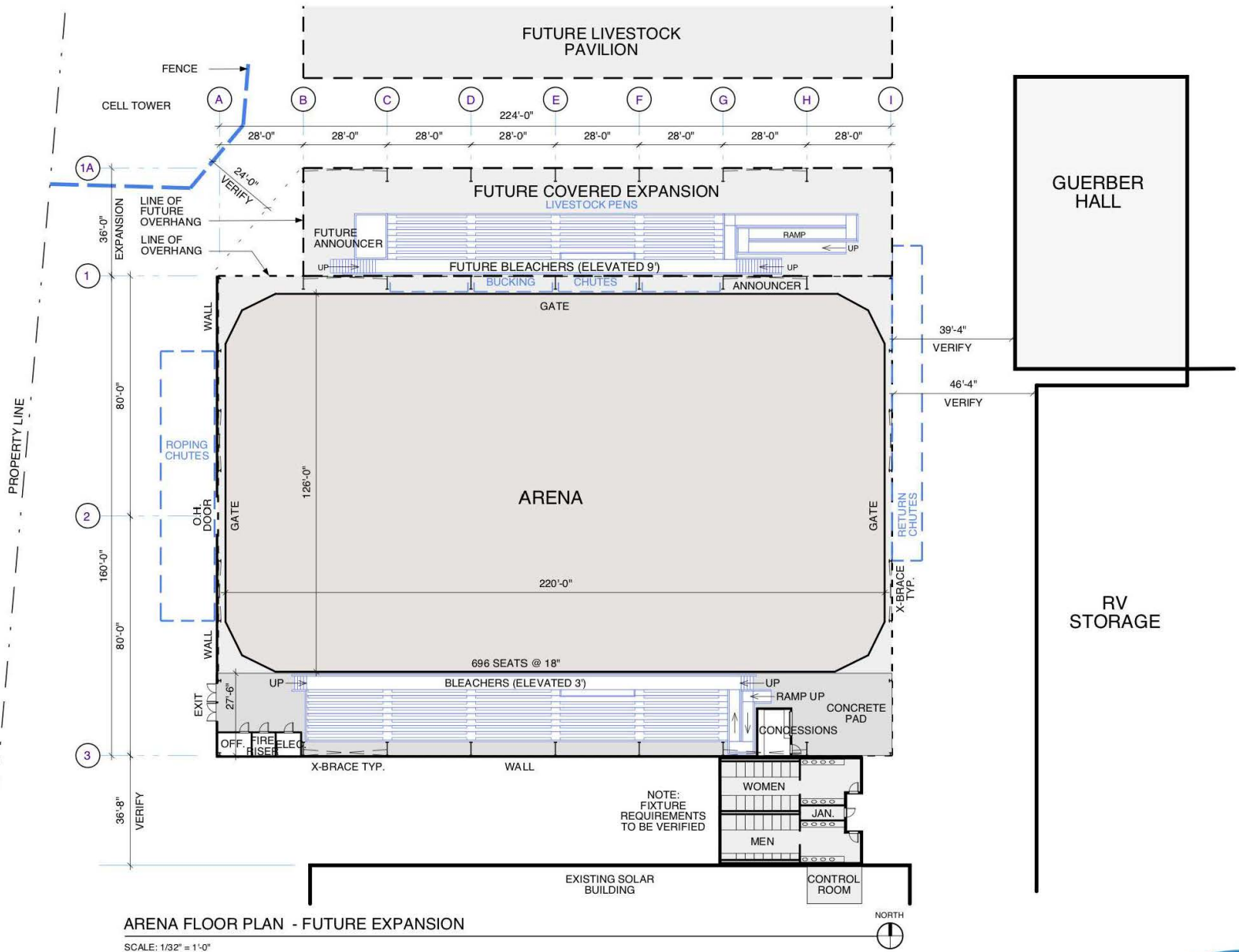


12.02.2021



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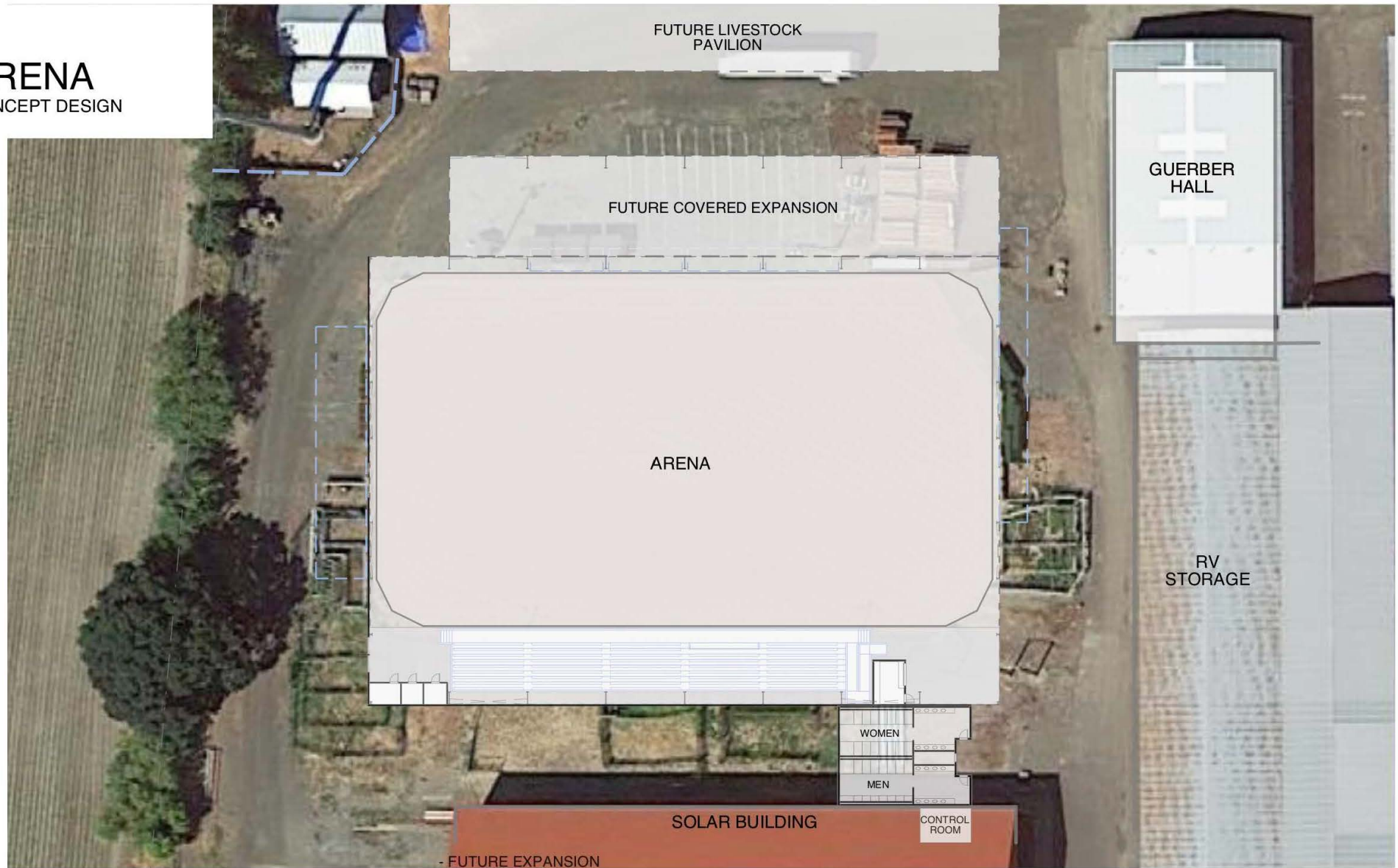
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CONCEPT DESIGN



ARENA

CONCEPT DESIGN



BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 12/07/21

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Board of Commissioners

Contact Name * Nick Kurth

Phone Extension * 6076

Meeting Attendee Name * Nick Kurth, Rick Crager

Agenda Item Details



Item Title * New Courthouse Funding Model

Item Involves * Check all that apply

- ☐ Appointments
- ☐ Budget
- ☐ Contract/Agreement
- ☒ Discussion and Action
- ☐ Discussion Only
- ☐ Document Recording
- ☐ Employment
- ☐ Notice of Intent
- ☐ Order/Resolution
- ☐ Ordinance/Public Hearing 1st Reading
- ☐ Ordinance/Public Hearing 2nd Reading
- ☐ Proclamation
- ☐ Project/Committee Update
- ☐ Public Comment
- ☐ Special Report
- ☐ Other

Estimated Time * 45 minutes

Board/Committee Involvement *
☐ Yes
☒ No

Issues and Fiscal Impact

Item Issues and Description

Issues and Fiscal Impact	
Item Issues and Description	
Identified Salient Issues *	The State authorized approximately \$20.4 million in matching OCC&I funds for a proposed new Benton County Courthouse. The funds were awarded based on the County's original bond measure date of May 2022, which, if successful, would have provided the County's 50-percent match, with a projected project completion date of June 2025. With the County's bond measure date postponed a full 12 months until May 2023, the County must either self-fund its match and advance the project as originally scheduled, or re-phase the project, using only a portion of the OCC&I funds (primarily for design work), and return to the legislature in partnership with OJD and request the remainder of the funds be approved for later use. Related to the proposed new courthouse is the future location of the District Attorney's (DA) offices. The OCC&I funds are for design and construction of the proposed new courthouse only - they are exclusive of the DA's offices. The Commissioners recently decided the DA's offices should be located in the proposed new courthouse, adding about \$16 million to the overall project cost.
Options *	1. Do Not Self-Fund any portion of proposed new courthouse project; re-phase project based on new bond date and re-apply for OCC&I matching funds in cooperation with OJD. 2. Self-Fund design-only match of proposed new courthouse project (approx. \$1.5 million) and proceed with design only; re-phase project based on new bond date and re-apply for remainder of OCC&I matching funds (less design fees) in cooperation with OJD. 3. Self-Fund proposed match of proposed new courthouse (approx. \$20.4 million) and proceed with design and construction of the new courthouse, using all \$20.4 million OCC&I funds, but without the DA's offices; DA's offices are bond-measure dependent, i.e. if the bond measure fails, the DA remains in the historic Benton County courthouse. 4. Self-Fund proposed match of proposed new courthouse (approx. \$20.4 million) and DA's offices (approx. \$16 million) and proceed with design and construction of both, using all \$20.4 million OCC&I funds.
Fiscal Impact *	☒ Yes ☐ No
Fiscal Impact Description *	CFO Rick Cragger will present analysis. Range of options has a fiscal impact of \$0 - \$36 million.

2040 Thriving Communities Initiative

Mandated Service? * ☒ Yes
☐ No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Mandated Service Description * If this agenda checklist describes a mandated service or other function, please describe here.
The State mandates the County must provide court facilities and DA offices.

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values * Select all that apply.

- ☒ Vibrant, Livable Communities
- ☐ Supportive People Resources
- ☐ High Quality Environment and Access
- ☐ Diverse Economy that Fits
- ☒ Community Resilience
- ☒ Equity for Everyone
- ☐ Health in All Actions
- ☐ NA

Explain Core Values Selections * JSIP Vision: The residents of Benton County require an effective, efficient and equitable criminal justice system that maintains public safety and holds people accountable, while providing treatment opportunities that address underlying causes of criminal behavior.

Focus Areas and Vision * Select all that apply.

- ☒ Community Safety
- ☒ Emergency Preparedness
- ☐ Outdoor Recreation
- ☐ Prosperous Economy
- ☐ Environment and Natural Resources
- ☐ Mobility and Transportation
- ☐ Housing and Growth
- ☐ Arts, Entertainment, Culture, and History
- ☐ Food and Agriculture
- ☐ Lifelong Learning and Education
- ☐ NA

Explain Focus Areas and Vision Selection * JSIP Vision: The residents of Benton County require an effective, efficient and equitable criminal justice system that maintains public safety and holds people accountable, while providing treatment opportunities that address underlying causes of criminal behavior.

Recommendations and Motions

Item Recommendations and Motions

Staff
Recommendations * Advance Option #3: Self-Fund proposed match of proposed new courthouse (approx. \$20.4 million) and proceed with design and construction of the new courthouse, using all \$20.4 million OCCC&I funds, but without the DA's offices; DA's offices are bond-measure dependent, i.e. if the bond measure fails, the DA remains in the historic Benton County courthouse.

Meeting Motions * I move to ...
Advance Option 1, 2, 3, or 4 (pick one)

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

Comments (optional) CFO Rick Crager will present analysis during discussion.
If you have any questions, please call ext.6800

Department Approver TERESA FARLEY

Department Approval

Comments

Signature

Teresa Foley

BOC Initial Approval

Approvals Required ☒ Counsel ☒ Finance ☐ HR

Counsel Approver VANCE CRONEY
Finance Approver RICHARD CRAGER
County Administrator JOE KERBY
Approver
Comments

Counsel Approval

Comments

Signature



Vance H. Cheney

Finance Approval

Comments

Signature



County Administrator Approval

Comments

Signature

Theresa Kelly

BOC Final Approval

Comments

Signature

Teresa Foley

Building a Justice System for the Future

Board of Commissioner Meeting
December 7, 2021

Justice System Improvement Program
Nick Kurth, Manager



Key JSIP Milestones

- November 23 – Proposed future location of District Attorney
- November 30 – Decision on South Site (LOI expiring)
- December 7 – Funding model for proposed new courthouse
- December 14 – Decision on West Site (LOI expiring)
- January 2022 – Decision on North Site (if applicable)

Background

The State's OCCC&I match of \$20.4 million for a new courthouse is based on our former May 2022 bond measure date as follows:

- Phase I (Planning) – February 2020 through May 2022 (bond date)
- Phase II (Design and Initial Construction) – July 2022 through July 2023 (assumes permitting is concurrent with design)
- Phase III (Final Construction) – July 2023 through July 2025 (2 years of construction)

The County originally intended to fund its \$20.4 match with proceeds from the May 2022 bond measure, which is no longer possible given our new bond date of May 2023.

Background cont.

In preparation for a March 2023 GO bond sale (the source of OCCC&I funds), the State is ready to draft a funding agreement with the County.

OCCC&I funds are for the new courthouse only, and not including a facility for the District Attorney (estimated at an additional \$16 million).

The BOC recently decided the DA should be located as part of the proposed new courthouse.

The new courthouse project could be designed and proceed with the DA's offices dependent on passage of the bond measure.

Strategy with DA Facility Bond Measure Dependent

Possible if new courthouse and DA's facility adjacent structures (doesn't work if stacked).

Possible on proposed suburban sites or downtown location.

Submit flexible design for permitting, where DA's facility withdrawn if bond measure fails, or two separate permits depending on strategy.

Courthouse and DA would be designed as separate facilities – separate egress, systems, etc. – so moderately more expensive.

Alternate design submissions not uncommon per DLR Group.

Nuance and Detail

The County must “show” the State if can self-fund – a down-payment in full is not required.

The County may reimburse itself for some/all of new courthouse self-funding if bond measure successful.

Self-funding opens up the possibility of funding other elements of JSIP depending on public sentiment, were the bond measure successful and new courthouse funding reimbursed.

Example of JSIP Funding Flexibility

1. Assume self-fund \$25 million
2. Assume stronger bond measure support for new courthouse/DA versus correctional facility
3. Example: proposed bond measure includes \$36 million for new courthouse/DA and \$25 million for correctional facility (half its projected cost)
4. Bond measure passes, providing all of the funding for new courthouse/DA and \$25 million for correctional facility
5. Self-fund remaining \$25 million of correctional facility

Critical Decision

With the County's bond measure date postponed a full 12 months until May 2023, the County must either self-fund its match and advance the project as originally scheduled, or re-phase the project, using only a portion of the OCC&I funds (primarily for design work), and return to the legislature in partnership with OJD and request the remainder of the funds be approved for later use.

The State is waiting to engage depending on the County's decision.

Funding Options

1. **\$0:** Do Not Self-Fund any portion of proposed new courthouse project; re-phase project based on new bond date; re-apply for OCCC&I matching funds in cooperation with OJD.
 2. **\$1.5 million:** Self-Fund design-only match of proposed new courthouse project (approx. \$1.5 million) and proceed with design only; re-phase project based on new bond date; re-apply for remainder of OCCC&I matching funds (less design fees) in cooperation with OJD.
-
3. **\$20 million:** Self-Fund proposed match of proposed new courthouse (approx. \$20.4 million) and proceed with design and construction of the new courthouse, using all \$20.4 million OCCC&I funds, but without the DA's offices; DA's offices are bond-measure dependent, i.e. if the bond measure fails, the DA remains in the historic Benton County courthouse.
 4. **\$36 million:** Self-Fund proposed match of proposed new courthouse (approx. \$20.4 million) and DA's offices (approx. \$16 million) and proceed with design and construction of both, using all \$20.4 million OCCC&I funds.

Pass to CFO Rick Crager



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every day.



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Benton County

**MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS**

Tuesday, October 26, 2021

GoToMeeting link: <https://global.gotomeeting.com/join/432776549>

Livestream: <http://facebook.com/BentonCoGov>

9:00 a.m.

- Present:** **Xanthippe Augerot**, Chair; **Pat Malone**, Commissioner; **Nancy Wyse**, Commissioner; **Joe Kerby**, County Administrator; **Vance Croney**, County Counsel
- Staff:** **Rick Crager**, Finance; **Teresa Farley**, **Joe Hahn**, BOC staff; **Nick Kurth**, Justice System Improvement Project; **Erika Milo**, BOC Recorder; **Alyssa Rash**, Public Information Officer; **Jef Van Arsdall**, Sheriff's Office; **Matt Wetherell**, Juvenile Department
- Guests:** **Kathryn Duvall**, **Kate Porsche**, **Jerry Sorte**, Corvallis-Benton County Economic Development Office; **Claire Pate**, Corvallis resident

Chair Augerot called the meeting to order at 9:02 a.m.

I. Opening:

A. Introductions

B. Announcements

Augerot acknowledged that Benton County is on historic lands of the Kalapuya, Alsea, and Klickitat peoples. Descendants of the Kalapuya and Alsea peoples live in the Confederated Tribes of Grand Ronde Community and the Confederated Tribes of the Siletz Indians. County residents seek to honor those peoples' stewardship of the land in decision-making.

II. Comments from the Public

No comments were offered.

III. Review and Approve Agenda

The following item was added to the agenda under VI. Other:

Executive Session under ORS 192.660(2)(d) – Labor Negotiations and ORS 192.660(2)(e) – Real Estate

IV. Work Session

4.1 Report on E-bicycles from Economic Development Office – Kathryn Duvall, Jerry Sorte, Corvallis-Benton Economic Development Office (CBEDO)

Sorte described the CBEDO e-bicycle instant rebate program, one of the first in the area. CBEDO received a \$60,000 grant from Pacific Power's Electric Mobility Grant Program, intended to bring money into the local economy and increase use of the technology. Participating stores are Corvallis Electric Bicycles, Peak Sports, Bike and Hike, and Corvallis Cyclery. Eligible individuals must be part of a family that makes 80% or less of the area's annual median income, residential customers of Pacific Power (PP), and at least 18 years of age. CBEDO received 60 applications and has issued 18 rebates. Participants shop at participating stores, with up to \$1,200 deducted at time of sale from the price of an e-bicycle, helmet, bicycle lock, and

safety vest. There have been 10 sales to date. Demand has increased since the pandemic began; it is hard to get enough bicycles in the price range in stock locally.

Duvall explained CBEDO is partnering with Cascades West Council of Governments to survey participants who have owned the e-bicycles less than three months; follow-up surveys to be performed every three months. People are enthusiastic about the program, reporting using bicycles more than cars (another program objective) and having improved health, energy, and strength. The only reported down side is that some areas are hard to navigate on a bicycle.

Sorte presented a video made with PP to highlight programs funded under this grant, including electric bicycles, tractors, and buses. Electric mobility offers independence, reduces emissions, and connects with renewable energy. Sorte added that CBEDO will track results and adapt the program as needed.

The Board praised the program. Wyse asked if electric tractors would be available in Benton County in the near future.

Duvall replied the tractors are a pilot project in eastern Oregon, but there is interest in other areas.

Augerot noted that local company Carts and Tools works on small-scale electric tractors.

Kerby asked about remaining grant funds.

Sorte replied there are enough funds for 50 rebates. CBEDO will likely do a second round to encourage more applications, provided sufficient e-bicycles are available. Grant funds must be spent by June 2022; CBEDO may request an extension if necessary.

4.2 Discuss and Consider Supporting the Corvallis-Benton County Economic Development Office in Creating a Statewide C-PACE Program – *Kathryn Duvall, CBEDO*

Duvall explained that Commercial Property-Assessed Clean Energy (C-PACE) is a program for commercial property owners to secure financing for energy upgrades and renewable energy installations. The City of Portland/ Multnomah County program also finances seismic retrofits. This entails an agreement between the property owner, a financing agency, and the C-PACE administrator. Currently the only program in Oregon is in Portland. The program is similar to a local improvement district: the property owner secures funding, and if the building is sold, funding transfers to the new owner, allowing the owner to pay back projects over a 20-30 year period. Local climate groups and the City of Corvallis Climate Action Advisory Board asked CBEDO to consider creating a local City or County program. The group concluded a single statewide program would be much more efficient, providing more financing opportunities, allowing more people to use the program, and reducing costs with a single administrator. CBEDO is contacting other counties and cities, including the City of Salem, with support from Portland partners and interest from the City of Bend and Deschutes County. Benton County support will help further the process.

Porsche added that the Corvallis City Council supports the effort. CBEDO seeks support in the form of sign-ons.

Augerot asked where the program would be operated from.

Duvall replied that has not been determined. Staff are looking for a state agency, non-profit organization, or community development finances institution.

Porsche added that CBEDO previously met with the Benton County Assessor's Office, as C-PACE includes property assessment. Oregon has shifted from a property assessment model to a Low Impact Development structure. This means assessors are not responsible for foreclosures.

Augerot recommended providing a letter of support for a statewide program, which will infuse more funds for clean energy, efficiency, and seismic retrofits.

Wyse noted the program meets priorities from the 2040 Vision such as 'prosperous economy' and 'environment and natural resources,' as well as many of Wyse's individual priorities.

Malone praised the efficiency of a statewide approach.

MOTION: Malone moved to support the efforts of the Corvallis-Benton County Economic Development Office in creating a statewide C-PACE program. Wyse seconded the motion, which **passed 3-0.**

Augerot asked if CBEDO has contacted the Association of Oregon Counties (AOC) for support.

Duvall replied that staff will probably contact AOC and the League of Oregon Cities. CBEDO hopes to get more counties and cities involved.

Augerot recommended contacting AOC and sharing information at regular steering committee meetings. Mallorie Roberts, AOC Legislative Affairs Manager, is a point of contact.

Malone noted that AOC's annual conference in the City of Eugene in mid-November 2021 would be a good place to introduce the concept to most Oregon counties.

V. Information Sharing

5.1 Xanthippe Augerot, Chair

Augerot shared that Andrew Smith, AOC, thanked the Board for supporting expanded mediation services. Harmony Burright, contract water specialist and former employee of Oregon Water Resources Department, is joining AOC; Smith to set up a meeting with County staff.

Augerot met two weeks ago with AOC staff and an opportunity zone financier. Downtown and south Corvallis are Internal Revenue Service-designated opportunity zones. Opportunity zone funding has been slow to roll out in Oregon. This financier wanted to bundle low-income and workforce housing projects, but wanted fully-funded projects eligible for the Low Income Housing Tax Credit, which also need to be ready to begin in April 2023. It is difficult to meet all these criteria. AOC staff are also speaking to other financiers. Augerot hopes to find funds for projects in downtown or south Corvallis to utilize the tax benefit and develop housing.

As a Benton County Foundation board member, Augerot toured sites in the City of Philomath and the community of Kings Valley (KV). KV Charter School staff discussed construction projects and hopes for conservation land in the adjacent KV Trust. In Philomath, Augerot visited Strengthening Rural Families and the Philomath Services Consortium, which needs space and facilities. The City of Monroe also needs a service center; there are many projects in the \$100-

300,000 range to support community services hubs. The topic will arise as American Rescue Plan Act (ARPA) funds are disbursed. Several Corvallis-based non-profits focusing on youth and children have asked about allocation of ARPA funding, and will meet with Kerby and Crager about the County process for receiving ARPA input. To provide equitable and transparent access to funding, the County needs a draft process document with comments from potentially eligible groups.

Augerot will attend the Freedom Funds Dinner at the National Association Advancement of Colored People – Corvallis branch on November 6, 2021.

5.2 Nancy Wyse, Commissioner

Wyse noted the election on November 2, 2021 and endorsed Corvallis Measures 2131, 2132, and 2133. The Corvallis Spirits Festival fundraiser for local veterans organizations occurs at Four Spirits Distillery on November 6, 2021. Wyse recently met with District Attorney John Haroldson and will meet with Gabe Shepherd, Corvallis Ward 4 City Councilor.

5.3 Pat Malone, Commissioner

Malone contacted Gary Stockhoff, Public Works Director, about progress on the Oak Creek area evacuation route. The Corvallis Rural Fire District Board has tentatively agreed to help fund the project. Stockhoff thought the project would go out to bid and be worked on next summer.

Tonight Malone will attend a Fair Foundation presentation from an architectural firm, followed by the quarterly Fair Foundation meeting. There will be a meeting with equestrian stakeholders about making a covered arena to replace the current convertible facility. On November 15, 2021, the Fair Board meets for its annual retreat.

Augerot added that Kurth will give a Justice Systems Improvement Project (JSIP) presentation at the Fair Foundation meeting.

5.4 Joe Kerby, County Administrator

Kerby announced that Darren Nichols, new Community Development Director, begins full-time work on November 1, 2021.

Last week Kerby met with a finalist for the position of Community Health Center (CHC) Director. The hiring panel, which includes Wyse, identified two finalists, but one withdrew. The panel is evaluating the remaining candidate. The CHC Board will bring a recommendation to the Board of Commissioners (BOC) for final approval.

Augerot expressed disappointment that the hiring process was less structured and less clear about the County's role than the previous search. CHCs are integrated with County Health Services; the director plays a vital role in shaping the County's overall health program. The Memorandum of Understanding between the BOC and CHCs indicates a more collaborative approach. The BOC needs to meet with the CHC Board to address these issues.

Wyse agreed there were challenges and asked Augerot to provide that feedback to the CHC Board.

Kerby shared that 259 County employees were required to receive COVID-19 vaccination by October 18, 2021 under Governor Kate Brown's mandate for healthcare workers. The majority are in compliance. About 14 people applied and were approved for religious and/or medical exemption. About three people were not granted exemption and have received layoff notices.

Kerby and the Board will attend the AOC conference, so the November 16, 2021 Board Meeting will start at 8:00 a.m. Kerby noted that the CHC liaison will present models of CHC structure in an upcoming meeting. Kerby suggested changing the meeting date due to BOC time conflicts; Kerby to contact CHC Director Carla Jones and executive assistant Patricia Conklin.

Augerot stressed that the entire Board should attend the CHC meeting.

Kerby shared that Malone brought up an idea about the JSIP site selection process. The Leadership Policies document allows Commissioners to make requests of staff; if a request would take over 8 hours, Kerby usually brings the request to the full Board before staff begin.

Malone proposed integrating the 2040 Vision statements and goals into JSIP site evaluation. For instance, how each site relates to existing transportation and the goal of reducing greenhouse gas emissions. The County has made progress integrating the goals with the budget. This would take a fair amount of staff time, but could become a significant part of public engagement.

Kerby reviewed that Kurth tried to apply the 2040 core values to the site selection process. There are also five BOC goals, one of which is JSIP. The BOC has 10 focus areas under the core values, including transportation. Sean McGuire, Sustainability, would mainly perform the evaluation, which would take at least 15-20 hours. The work would need to be done in the next three weeks to be included in site selection.

Augerot was concerned about whether the focus areas or the values would be used as criteria.

Kurth felt that the macro-oriented, aspirational core values would be hard to align with the precise process of site selection. JSIP appears in four high-level department goals. Also, the evaluation would inevitably be subjective. Some 2040 tenets are already incorporated, such as mobility (proximity to multi-modal paths is a JSIP criterion). Transportation and greenhouse gas emissions will be considered regarding the siting of a new courthouse. One value that should be considered more is equity, which is a goal for JSIP and the 2040 Vision.

Kerby shared that Senior Strategic Programs Manager Lili'a Neville also felt that applying the 2040 values to a tactical decision would be difficult.

Augerot agreed. Subjective evaluations should be made by the Board, not staff. However, after site selection, it could be helpful to re-examine the values relative to JSIP, such as 'vibrant, livable communities,' 'health in all actions,' and 'community resiliency.'

Wyse agreed that while the lists are helpful, there are higher priorities for staff time, and the Board can consider the focus areas and values on an individual basis.

Malone agreed that the Board can consider the values individually. This helps show the public that the County is following its stated goals. The goals can be re-examined in 2022.

Wyse pointed out that a repeated community question about JSIP is what the County will do about Adults in Custody (AIC) on release. Sharing specific options would be helpful. Wyse was concerned about releases happening outside the downtown area.

Augerot requested that staff compile a Frequently Asked Questions (FAQ) list based on constituent email.

Rash shared that staff are developing an FAQ document, to be reviewed by Kurth next week.

Kurth had discussed AIC release options with Van Arsdall. AIC have a right to leave the facility by their own means. If the Courthouse is downtown and the Correctional Facility is suburban, the County could arrange transport for court appearances. Another option is to provide warm hand-offs to the Crisis Resource Center. Public transit will be extended to the site for released adults and staff. Bicycles could be provided.

Van Arsdall noted that AIC are currently released downtown and do not constitute a significant number of people. Staff will find solutions for any location.

Wyse emphasized that this community concern should be addressed soon with a list of ideas.

Kurth offered to codify the proposals. The County has 4-5 years to find solutions before operations change. Kurth to consider expenses of these options with the Chief Financial Officer.

Malone agreed about providing a list of practical solutions, and recommended starting pilot programs within the current system. On the previous bond measure for a JSIP site in the City of Philomath, there were similar concerns about criminals near schools.

Kerby felt that release options should be included in the FAQ; the County cannot promise which options will be used, but can identify possibilities. Kerby asked if having the information vetted is important to the selection process.

Wyse confirmed wanting a list of objections and solutions to consider.

Augerot liked the idea of addressing the concern through the FAQ and examining release practices now. For any site, the Board will find an option that works for released adults, operations, and safety and livability of the neighborhood. Only so much can be done in advance.

Kurth asked where is the right place for AIC to go on release. Many suburban community members feel that should be downtown, but downtown business owners and clientele might disagree.

Augerot reminded all that AIC are members of the community.

Hahn agreed and added it is important to ask AIC what kind of support they want and need. AIC will be as impacted as the rest of the community.

Augerot summarized that a deep analysis of 2040 in relation to site selection is not needed, but the Board will keep those principles in mind. FAQ will help with constituent questions, but some questions cannot be answered until a site is chosen. It is important to involve individuals emerging from custody in the discussion.

Wyse and Augerot requested that the release question be added to the FAQ.

Augerot noted this could have been separate agenda topic.

Pate commented in the chat window that this topic should be on the agenda so concerned citizens can comment.

Chair Augerot recessed the meeting at 10:41 a.m.

Chair Augerot reconvened the meeting at 10:47 a.m.

VI. Other

Chair Augerot recessed the meeting at 10:48 a.m. and entered Executive Session under ORS 192.660(2)(d) – Labor Negotiations and ORS 192.660(2)(e) – Real Estate.

VII. Adjournment

Chair Augerot exited Executive Session and immediately adjourned the regular Board Meeting at 1:06 p.m.

Xanthippe Augerot, Chair

Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 12/07/21

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Community Development

Contact Name * Greg Verret

Phone Extension * 6294

Meeting Attendee Name * Greg Verret, Gordon Kurtz

Agenda Item Details



Item Title * Amendments to Chapter 31 - Code Enforcement

Item Involves * Check all that apply

- ☐ Appointments
- ☐ Budget
- ☐ Contract/Agreement
- ☐ Discussion and Action
- ☐ Discussion Only
- ☐ Document Recording
- ☐ Employment
- ☐ Notice of Intent
- ☐ Order/Resolution
- ☒ Ordinance/Public Hearing 1st Reading
- ☐ Ordinance/Public Hearing 2nd Reading
- ☐ Proclamation
- ☐ Project/Committee Update
- ☐ Public Comment
- ☐ Special Report
- ☐ Other

Board/Committee Involvement *

☐ Yes

☒ No

Advertisement *

☒ Yes

☐ No

**Names/Dates of
Publications**

List each publication name and date
Gazette Times, November 26, 2021.

Issues and Fiscal Impact

Item Issues and Description

**Identified Salient
Issues ***

The Board held a worksession on this topic on November 2.

The current National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Separate Storm Sewer Systems (MS4) Permit requires that the County update its code to provide an escalating enforcement structure to govern illicit (non-stormwater) discharges. Staff representatives from Community Development, Environmental Health, and Public Works working together in the MS4 Stakeholders' Group meetings have concluded that Chapter 31 of the Benton County Code (Enforcement) should be modified to meet the requirements of the permit and that the escalating enforcement structure be used for enforcement actions Countywide, where applicable. Staff has identified other elements of Chapter 31 that require updates and corrections. It was determined to be an expedient use of the Board's time to address these updates and corrections at the same time.

Options *

Adopt the ordinance or direct staff to make changes to the ordinance prior to adoption.

Fiscal Impact *

- ☐ Yes
☒ No

2040 Thriving Communities Initiative

Mandated Service? * ☒ Yes
☐ No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Mandated Service Description * If this agenda checklist describes a mandated service or other function, please describe here.
Enforcement of certain codes (e.g., land use, building code) are mandated by state law. The proposed amendment to establish a structure of escalating enforcement is required by Oregon DEQ as part of our mandatory stormwater permitting program.

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values * Select all that apply.

- ☒ Vibrant, Livable Communities
- ☐ Supportive People Resources
- ☐ High Quality Environment and Access
- ☐ Diverse Economy that Fits
- ☒ Community Resilience
- ☐ Equity for Everyone
- ☒ Health in All Actions
- ☐ NA

Explain Core Values Selections *

Vibrant, Livable Communities – The proposed code modifications strengthen and clarify the process of enforcing our environmental and water quality standards. The new code allows a progressive escalation of enforcement to ensure protection of our environmental resources.

Community Resilience – The proposed code modifications provide staff with tools to respond to violations that threaten public health and the function of our lands and waterways.

High Quality Environment and Access – The code modifications help to protect our lands and waterways ensuring their preservation and protection so they may be enjoyed by the citizens of Benton County.

Health in All Actions – The Code modifications protect the public health and wellbeing by empowering enforcement officers to take action when violations are reported or discovered.

Focus Areas and Vision *

Select all that apply.

- ☒ Community Safety
- ☒ Emergency Preparedness
- ☒ Outdoor Recreation
- ☐ Prosperous Economy
- ☒ Environment and Natural Resources
- ☐ Mobility and Transportation
- ☐ Housing and Growth
- ☐ Arts, Entertainment, Culture, and History
- ☐ Food and Agriculture
- ☐ Lifelong Learning and Education
- ☐ N/A

Explain Focus Areas and Vision Selection *

Vibrant, Livable Communities – The proposed code modifications strengthen and clarify the process of enforcing our environmental and water quality standards. The new code allows a progressive escalation of enforcement to ensure protection of our environmental resources.

Community Resilience – The proposed code modifications provide staff with tools to respond to violations that threaten public health and the function of our lands and waterways.

High Quality Environment and Access – The code modifications help to protect our lands and waterways ensuring their preservation and protection so they may be enjoyed by the citizens of Benton County.

Health in All Actions – The Code modifications protect the public health and wellbeing by empowering enforcement officers to take action when violations are reported or discovered.

Recommendations and Motions

Item Recommendations and Motions

Staff
Recommendations * Adopt the amendments as proposed.

Meeting Motions * I move to ...
I move to conduct the first reading of Ordinance No. 2021-0307, amending
Chapter 31 of the Benton County Code.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

Chapter_31-Enforcement_Amendments-FINAL for BOC hearing.docx 34.61KB
DEV_Amending BCCode ch 31 Ord 2021-0307.docx 20.46KB

Comments (optional) If you have any questions, please call ext.6800

Department Approver GREG VERRET

Department Approval

Comments

Signature

Frag Deloit

BOC Initial Approval

Approvals Required ☒ Counsel

☐ Finance

☐ HR

Counsel Approver VANCE CRONEY

**County
Administrator
Approver** JOE KERBY

Comments

Counsel Approval

Comments

Signature



Vance H. Cheney

County Administrator Approval

Comments

Signature

Theresa Kelly

BOC Final Approval

Comments

Signature

Teresa Foley

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**

In the Matter of Amending	)	ORDINANCE No. 2021-0307
Benton County Code Chapter 31,	)	
Enforcement	)	

WHEREAS:

The option to address compliance issues through voluntary compliance agreements will enable more efficient resolution in certain cases.

Broader designation of enforcement officers will help ensure that County regulations can be more fully enforced and that compliance can be efficiently pursued.

The current National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Separate Storm Sewer Systems (MS4) Permit requires that the County update its code to provide an escalating enforcement structure to govern illicit (non-stormwater) discharges. An escalating enforcement structure will also be useful to provide a framework for enforcement actions in general.

NOW THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF BENTON COUNTY ORDAINS AS FOLLOWS:

PART I: Short Title. Amendments to Benton County Code Chapter 31, Enforcement.

PART II. Authority. The Board of County Commissioners of Benton County has authority to amend the County Code pursuant to the Benton County Charter.

PART III. The Benton County Code Chapter 31 is hereby amended as shown in “Exhibit 1”.

PART IV. The effective date for these amendments to the Benton County Code will be:

First Reading: December 7, 2021

Second Reading: _____

Effective Date: _____

BENTON COUNTY BOARD OF COMMISSIONERS

Approved as to Form:

Xanthippe Augerot, Chair

Vance M. Croney, County Counsel

Nancy Wyse, Commissioner

Recording Secretary

Pat Malone, Commissioner

Ord. No. 2021-0307

Exhibit 1

CHAPTER 31

ENFORCEMENT

ADMINISTRATION

31.005 Purpose. The purpose of this is to provide for the welfare, safety and health of the citizens of Benton County by establishing a procedure wherein the ordinances of Benton County can be enforced. [Ord. 99-0147]

31.010 Definitions. For the purposes of BCC Chapter ~~2631~~, the following definitions shall be used:

(1) **“County ordinance”** as used in this ordinance shall include any County ordinance, order, resolution, license or permit and any State statute or administrative rule which the County is authorized to enforce. Excepted from this definition is "Dog Hearing Proceedings" under ORS 609.150 and Benton County Code Section 9.705.

(2) **“Infraction complaint”** means that document(s) which, when properly served upon the alleged ordinance violator, brings the matter before the appropriate court for resolution. The elements of an infraction complaint are set forth in Section ~~731.130~~ of this ordinance.

(3) **A “person” includes:**

(a) The United States or agencies thereof, any state, public or private corporation, limited liability company, local governmental unit, public agency, individual, partnership, association, firm, trust, estate or any other legal entity, contractor, subcontractor or combination thereof. For the purpose of this ordinance, “person” also includes those residing in or conducting business or activities in the incorporated or unincorporated areas of Benton County; and

(b) The owner, title holder, contract seller, or contract buyer of the land upon which the violation is occurring, is equally responsible for the violation of County ordinance, as is the possessor of the land, user of the land, or the person who is taking the action, conduct or omission which constitutes a violation of any County ordinance.

(4) **“Enforcement officer”** means that person(s) who is appointed to serve infraction complaints pursuant to Sections ~~2631~~.015, 31.020, and ~~2631~~.105 of this Ordinance.

(5) **“Violator”** means any person who has admitted violation of County ordinance or a person who has been adjudicated to have violated a County ordinance. [Ord. 99-0147]

31.015 Enforcement Officers. The Benton County Planning Official, Building Official, ~~and Public Works Director~~, Health Administrator, Sheriff and/or County Counsel, or their

appointed designee, shall act as enforcement officer(s) for the purpose of issuing infraction complaint(s), abstract of record and summons.

~~In addition, the Board of Commissioners may appoint one or more persons to act as enforcement officer(s) for the purpose of issuing infraction complaint(s), abstract of record, and summons. The appointment(s) shall be made a part of the Board's records. [Ord. 99-0147]~~

~~[Ord. 99-0147; Ord 2021-0307]~~

31.020 Escalating Enforcement Response Procedure

(1) In responding to an apparent violation of County ordinance, the County's enforcement officer(s) shall proceed through the following escalating enforcement responses. The process may begin with either subsection (a) or (b) and shall move sequentially through subsections (c) through (e) as necessary to achieve compliance. For major violations as defined in subsection (2), the process may begin at any level deemed appropriate by the enforcement officer.

- (a) Verbal Notice of Violation: The enforcement officer or designee communicates the nature of the violation and the ordinance sections violated verbally to the property owner or the property owner's agent or contractor, in person or by telephone, and documents the communication in appropriate County records.
- (b) Written Notice of Violation: The enforcement officer or designee issues by mail or in person to the property owner and agent or contractor a Written Notice of Violation identifying the nature of the violation(s), the ordinance sections violated, the action(s) needed to correct the violation(s), and options for appeal. If a Verbal Notice of Violation was issued pursuant to subsection (a), a Written Notice of Violation shall be issued within five (5) working days if the violation is not corrected within that time.
- (c) Written Notice to Comply: The enforcement officer or designee shall, in instances described in subsection (i) and (ii) below, issue by mail or in person to the property owner and agent or contractor a Written Notice to Comply. Said Notice shall describe the violations, expected corrections, a schedule for correction, and notification of appeal options. The Notice to Comply is to specifically document the date and time when a stop work order or a suspension of permits will be executed if the applicant does not comply.
 - (i) At least five (5) working days following transmittal of a Written Notice of Violation if the enforcement officer deems that the response to the Written Notice of Violation is inadequate; or
 - (ii) As an initial step for violations deemed to be major violations by the enforcement officer pursuant to subsection (2) of this section.
- (d) Written Stop Work Order, Suspension of Permits, and Warning of Legal Action and/or Fines: The enforcement officer may issue any of these by mail or in person to the property owner and agent or contractor on or after the date specified in the Written Notice to Comply.
- (e) Legal Action and/or Citations: The enforcement officer may issue infraction complaints or citations pursuant to Section 31.105.

(2) In instances where the enforcement officer deems that a violation is egregious, negligent, a direct threat to public health, safety or wellbeing, the environment, public infrastructure, or any combination thereof, enforcement may be escalated to levels (c) through (e) without verbal or written notice.

(3) Failure of an enforcement officer to conform to this escalating enforcement response procedure shall not invalidate an enforcement proceedings. If such failure prevented the violator from being able to comply within deadlines to avoid fines, the remedy shall be the waiving of said fines.

[Ord 2021-0307]

INFRACTION COMPLAINT AND SUMMONS

31.105 Service of Infraction Complaint.

(1) Service of the infraction complaint shall be by the enforcement officer, their designated appointee or a peace officer upon the person(s) whose conduct, action(s) or omission(s) constitute the ordinance violation(s).

(2) If the ordinance violator is not the owner, title holder, contract buyer or contract seller of the property and is the person whose action, conduct or omission is creating or causing (by act or omission) the ordinance violation, then the owner, title holder, contract buyer and contract seller may also be served personally with an infraction complaint.

(3) If personal service cannot readily be made, substitute service can be made as provided by ORCP 7(D). [Ord. 99-0147]

31.110 Jurisdiction of the Courts. A justice court or circuit court have concurrent jurisdiction of all infraction complaints for violation of a county ordinance. [Ord. 99-0147]

31.115 Designation of Attorney for Benton County. The Benton County Board of Commissioners hereby elects to have the prosecution of infraction complaints and/or any other remedy provided by law to be conducted by Benton County Legal Counsel or Assistant Benton County Legal Counsel. [Ord. 99-0147]

31.120 Service of Summons, Complaint and Abstract of Record.

(1) An infraction complaint issued pursuant to this ordinance shall comply with the requirements of Sections 26.125, 26.130 and 26.135 respectively.

(2) The enforcement officer issuing an infraction complaint shall cause:

(a) The summons to be delivered to the person;

(b) A copy of the complaint, abstract of record and summons to be delivered to Legal Counsel within two (2) business days after service of the summons; and

- (c) The complaint and abstract of record to be delivered to the appropriate court within two (2) business days after service of the summons. [Ord. 99-0147]

31.125 Infraction Complaint; Occurrence; Other Remedies.

- (1)
 - (a) Except as otherwise specifically provided in this ordinance, an infraction complaint may be used for violation of any County ordinance.
 - (b) Infraction complaints may be filed against the same person for repeated violations of the same ordinance or for a continuing violation of the same ordinance.
 - (c) Each 24-hour period constitutes a separate occurrence.
- (2) The County may, at any time, whether before or after the issuance of one or more infraction complaints, institute a complaint in the Benton County Circuit Court for any other remedy provided by law, including injunction, mandamus, abatement, or other appropriate proceedings to prevent, temporarily or permanently enjoin or abate the violation.
- (3) In addition to any other remedy provided by law to the County, the County may seek a fine of \$500 for each separate violation and a fine of \$1,000 for a continuing violation of any County ordinance, pursuant to this ordinance. [Ord. 99-0147]

31.130 Infraction Complaint.

- (1) The infraction complaint shall consist of four (4) parts. The required parts are:
 - (a) The complaint.
 - (b) The abstract of record.
 - (c) The enforcement officer record.
 - (d) The summons.

Each of the parts shall contain the information required by this ordinance.

- (2) The complaint shall contain a form or certificate in which the enforcement officer shall certify that he/she has sufficient grounds to believe, and does believe, the person served with the infraction complaint violated a County ordinance, contrary to law. A certificate conforming to this section shall be deemed equivalent to a sworn complaint.
- (3) Minimum requirements for infraction complaint: The infraction complaint is sufficient if it contains the following:
 - (a) The name of the court, the name of Benton County, in whose name the action is brought, and the name of the violator(s).

(b) A statement or designation of the alleged violation of County ordinance in such a manner as can be readily understood by a person making a reasonable effort to do so and the date, time and place at which the violation of County ordinance is alleged to have occurred.

(c) A certificate signed by the enforcement officer issuing the infraction complaint.

(4) Motion to set aside. The complaint shall be set aside by the court upon motion of the violator, before a plea, when the complaint does not conform to the requirements of this section. A pretrial ruling on a motion to set aside may be appealed by the County. The court may allow Benton County to amend the complaint or to file an amended complaint. [Ord. 99-0147]

31.135 Summons. A summons in an infraction complaint is sufficient if it contains the following:

(1) The name of the court, the name of the person cited, the date on which the infraction complaint was issued, the name of the complainant, and the date, time and place at which the person cited is to appear in court.

(2) A statement or designation of the violation of County ordinance in such a manner as can be readily understood by the person making a reasonable effort to do so, and the date, time and place at which the ordinance violation is alleged to have occurred.

(3) A notice to the person cited that an infraction complaint will be filed with the court, based upon the alleged violation of County ordinance.

(4) The fine for violation of the ordinance:

(a) For a single occurrence, a minimum of \$25.00 and not to exceed \$500.00, unless otherwise specified.

(b) For a continuing occurrence, a minimum of \$25.00 and not to exceed \$1,000.00 unless otherwise specified.

(5) A written notice on the face of the summons that the County may seek any and all other legal remedies, including but not limited to injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin or abate the ordinance violation. [Ord. 99-0147]

HEARING PROCEDURE

31.205 Violator's Appearance; Payment of Fine; Request for Hearing; Statement; Admission of Violation.

(1) The violator shall either appear in court at the time indicated in the summons, or prior to such time may:

- (a) Request a hearing;
- (b) Admit violation of the County ordinance and give a statement of matters in explanation or mitigation of the violation; or
- (c) Submit to the court an executed appearance, waiver of hearing, and admission of violation as set forth on the summons. A statement in explanation or mitigation may also be submitted with the admission of violation of County ordinance.

(2) In any case in which the violator personally appears in court at the time indicated in the summons, and the violator desires to admit the violation of the County ordinance and court accepts the admission, the court shall hear any statement in explanation or mitigation that the violator desires to make.

(3) If the violator does not appear in court at the time indicated in the summons, and has not, prior to such time, submitted an executed appearance and waiver of hearing to the court together with cash, check or money order in the amount of the fine set forth in the summons, or requested in writing a continuance of the time to appear in court, the court shall enter a judgment against the violator in an amount equal to the fine set forth on the face of the summons, together with court costs and any special costs. [Ord. 99-0147]

31.210 Statement as Waiver of Hearing and Consent to Judgment; Fine Forfeiture. If a violator has not requested a hearing, but has submitted to the court any written statement in explanation or mitigation of the ordinance violation, the statement constitutes a waiver of hearing and consent to the entry of judgment against the violator. The court may declare a forfeiture of the fine or portion thereof on the basis of the statement and/or any testimony or written statement of the enforcement officer or other person, if any, which may be presented to the court. [Ord. 99-0147]

31.215 Hearing Date; Notice to Violator; Waiver.

(1) If the violator requests a hearing, the court shall fix a date and time for the hearing, and advise the violator of the date.

(2) If the violator fails to appear at the time set for the hearing without having previously requested a continuance in writing, the court shall enter a judgment against the violator in the amount of the fine set forth on the summons.

(3) No warrant of arrest can be issued for any violation of a County ordinance. [Ord. 99-0147]

31.220 Hearing; Trial; Commencement; Burden of Proof; Pretrial Discovery; Violator Witness.

(1) The hearing of any infraction complaint shall be by the court without a jury.

(2) The hearing of any infraction complaint shall not commence until the expiration of seven (7) days from the date of the infraction complaint.

(3) The County shall have the burden of proving the violation of the ordinance by a preponderance of the evidence.

(4) The pretrial discovery rules set forth in the Oregon Rules of Civil Procedure shall apply to infraction complaints. The County may call the violator as a witness at the hearing.

(5) Proof of negligence, malfeasance, misfeasance, nonfeasance, willful conduct, knowing conduct, intentional conduct, or any other culpable mental state is not an element of any ordinance violation.

(6) At any hearing involving an infraction complaint, an attorney shall not be provided at public expense. At any hearing involving an infraction complaint, the County's attorney may appear, but is not required to appear. [Ord. 99-0147]

31.225 Prosecution of Infraction Complaint. Notwithstanding any provision of the Oregon Rules of Civil Procedure or any other provision of this ordinance, the prosecution of one infraction complaint shall not bar the subsequent prosecution of additional County ordinance violations occurring or committed at the same time or as part of the same act or transaction or as part of the same occurrence as other ordinance violation(s). Evidence of prior ordinance violation(s) shall be admissible in any subsequent prosecution of any ordinance violation. [Ord. 99-0147]

31.230 Civil Judgment. A judgment upon an infraction complaint is a civil judgment, as is any other civil judgment at law. The judgment involves only a fine, and does not incur loss by forfeiture, suspension or revocation of any license or any other privilege or other civil penalty. A person against whom a judgment is issued does not suffer any disability or legal disadvantage, based upon said judgment, other than the enforcement by Benton County of the judgment. [Ord. 99-0147]

31.235 Consent Decree. The County and the violator may enter into a consent decree. The consent decree shall provide that the violator does not admit a violation of County ordinance but will make necessary corrections, as set forth in the agreement, to bring the violator's actions, conduct, omissions or property into conformance with appropriate County ordinances.

The violator, the violator's attorney, if any, and the County Legal Counsel shall sign all consent decrees.

The consent decree shall be filed with the court as a final adjudication of the proceedings and shall constitute a dismissal of the action when violator performs as agreed. The violator or Benton County may seek a court order dismissing the case upon completion of the conditions of the consent decree.

The violator's failure to comply with the consent decree allows Benton County to seek any additional remedies provided by law or this ordinance. [Ord. 99-0147]

APPEAL

31.305 Appeal from Judgment. An appeal from a judgment may be taken by either party as follows:

- (1) From a proceeding in Justice Court, as provided in ORS Chapter 53; or
- (2) From a proceeding in Circuit Court, as provided in ORS 19.005 to 19.026 and 19.029 to 19.200. [Ord. 99-0147]

COSTS AND FINES

31.405 Court Costs.

- (1) The court, in addition to the fine, shall charge court costs to the violator where:
 - (a) The violator admits violation of the County ordinance and the minimum fine is imposed;
 - (b) The violator admits violation of the County ordinance and a fine other than the minimum fine is imposed;
 - (c) The violator fails to appear for the hearing or is found to have violated a County ordinance following a hearing; or
 - (d) The violator enters into an agreement with the County for a consent decree whereby the violator does not admit violation of the County ordinance but agrees to make necessary corrections, as set forth in the agreement, in order to bring the violator's conduct, actions or property into compliance with County ordinances.
- (2) Court costs shall be \$25. Said costs cannot be waived by the County, the violator or the court in any proceeding. If the violator fails to pay the costs, the costs shall be entered as a judgment against the violator in the same manner and with like effect as a judgment for a fine. [Ord. 99-0147]

31.410 Fines. All fines collected shall be distributed as follows:

- (1) One-half (½) of the fine shall be credited to the account of the Department or Division employing the enforcement officer to offset the cost of enforcement.
- (2) One-half (½) of the fine shall be credited to the account of Benton County Legal Counsel to offset the cost of enforcement. [Ord. 99-0147]

31.415 Special Costs.

(1) The County shall be entitled to recover all special costs and disbursements that are reasonable and necessary expenses incurred in the successful prosecution of an infraction complaint other than for legal services, but including the costs/expenses/salaries of officers, employees and witnesses, the necessary expenses of taking depositions, the expense of publication of summons or notices, postage, compensation of expert witnesses, the expense of copying any public record, book or document used as evidence in the trial.

(2) The special costs shall be allowed to the County in the same manner as a judgment for fines. [Ord. 99-0147]

ADDITIONAL PROVISIONS

31.500 Voluntary Compliance Agreement.

(1) The County may enter into a written voluntary compliance agreement with the property owner or the property owner's agent or contractor at any point in the Escalating Enforcement Response Procedure described in Section 31.020. The agreement shall include the applicable code provision(s), required corrective action, time limits for compliance, fines if applicable and shall be binding.

(2) The fact that a person alleged to have committed a violation enters into a voluntary compliance agreement shall not be considered an admission of having committed the violation.

(3) The County will delay further processing of the alleged violation during the time allowed in the voluntary compliance agreement for the completion of the required corrective action.

(4) Failure to comply with any term of the voluntary compliance agreement constitutes a separate violation, and shall be handled in accordance with the procedures established by these provisions, except no further notice after the voluntary compliance agreement has been signed need be given before further enforcement proceedings are initiated. The County may also proceed on the alleged violation that gave rise to the voluntary compliance agreement.

[Ord 2021-0307]

31.505 Private Right of Action

(1) Any person, whether acting as principal, agent or employee, ~~hose~~whose interest is or may be affected by any violation of a Benton County ordinance may, in addition to the other remedies provided by law, file an infraction complaint in the following manner:

(a) The private citizen shall prepare and present the infraction complaint to the appropriate enforcement officer. If the enforcement officer fails to act upon the infraction complaint within ten (10) days, the citizen may submit the infraction complaint to Legal Counsel. Legal Counsel may investigate the alleged violation of a County ordinance and, after consultation with the appropriate department or division head, shall either (A) serve the infraction complaint and prosecute; or (B) decline to serve the infraction complaint or

to prosecute. Legal Counsel shall notify the private citizen of said action within ten (10) days from the date the infraction complaint is presented to Legal Counsel.

(b) The private citizen, following notice by Legal Counsel of Legal Counsel's refusal to prosecute, may, within sixty (60) days of such notice, bring an action pursuant to this ordinance, in the citizen's name against the alleged violator in the same manner and form as provided by this ordinance. Should the private citizen prevail against the violator, any fine imposed, and special costs shall be awarded to the plaintiff private citizen. [Ord. 99-0147]

31.510 Severability Clause. Should any section, subsection, paragraph, sentence, clause or phrase of this ordinance be declared invalid, such declaration shall not affect the validity of any other section, subsection, paragraph, sentence, clause or phrase; and if this ordinance or any portion thereof should be held to be invalid on one ground but valid on another, it shall be construed that the valid ground is the one upon which the ordinance or such portion thereof was enacted. [Ord. 99-0147]

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 12/07/21

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Public Works

Contact Name * Joe Mardis

Phone Extension * 6284

Meeting Attendee Name * Joe Mardis

Agenda Item Details



Item Title * Matter of approving a Petition for Annexation of Territory into the Hoskins-Kings Valley Rural Fire Protection District - Weiland and Estrada.

Item Involves * Check all that apply

- ☐ Appointments
- ☐ Budget
- ☐ Contract/Agreement
- ☒ Discussion and Action
- ☐ Discussion Only
- ☒ Document Recording
- ☐ Employment
- ☐ Notice of Intent
- ☒ Order/Resolution
- ☒ Ordinance/Public Hearing 1st Reading
- ☐ Ordinance/Public Hearing 2nd Reading
- ☐ Proclamation
- ☐ Project/Committee Update
- ☐ Public Comment
- ☐ Special Report
- ☐ Other

Estimated Time * 15 minutes

Board/Committee Involvement *
☐ Yes
☒ No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues*

A petition was submitted by Gerald E. Welland and Luis Valenzuela Estrada and endorsed and approved by the Hoskins-Kings Valley Rural Fire Protection District

Issues *

endorsed and approved by the Hoskins-Kings Valley Rural Fire Protection District Board for annexation of the property. The Petition conforms to ORS 198 and ORS 478. This property will benefit from the inclusion into the district for fire protection.

The Benton County Assessor has reviewed the petition and determined that all of the requisite number of qualified landowners have signed said petition per ORS 198.

Options * Deny or Approve the petition for annexation of territory into the Hoskins-Kings

The Benton County Board of Commissioners shall consider the appropriate boundary and shall consider the benefit the proposed annexation will have to said district.

Options *

Deny or Approve the petition for annexation of territory into the Hoskins-Kings Valley Rural Fire Protection District.

Fiscal Impact *

☒ Yes

☐ No

Fiscal Impact *	Description
	The annexation of territory into the Hoskins-Kings Valley Rural Fire Protection District has no fiscal impact on Benton County. The owners will be charged for the

Fiscal Impact	Description *
	The annexation of territory into the Hoskins-Kings Valley Rural Fire Protection District has no fiscal impact on Benton County. The owners will be charged for the cost as stated in the petition.

cost as stated in the petition.

2040 Thriving Communities Initiative

Mandated Service? * ☒ Yes
☐ No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Mandated Service Description * If this agenda checklist describes a mandated service or other function, please describe here.
Pursuant to ORS 198, owners, contract purchasers and/or residents of property must file a petition with the Benton County Board of Commissioners to begin proceedings to annex real property into a fire district. On behalf of the Board, Public Works facilitates processing of the requests.

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values * Select all that apply.
☐ Vibrant, Livable Communities
☐ Supportive People Resources
☐ High Quality Environment and Access
☐ Diverse Economy that Fits
☒ Community Resilience
☐ Equity for Everyone
☐ Health in All Actions
☐ NA

Explain Core Values Selections * The annexation of this property into a fire district helps prepare for protecting the residents in the event of a fire.

Focus Areas and Vision * Select all that apply.
☐ Community Safety
☒ Emergency Preparedness
☐ Outdoor Recreation
☐ Prosperous Economy
☐ Environment and Natural Resources
☐ Mobility and Transportation
☐ Housing and Growth
☐ Arts, Entertainment, Culture, and History
☐ Food and Agriculture
☐ Lifelong Learning and Education
☐ NA

Explain Focus Areas and Vision Selection * The annexation of this property into a fire district helps prepare for protecting the residents in the event of a fire.

Recommendations and Motions

Item Recommendations and Motions

Staff
Recommendations * Staff recommends that the Benton County Board of Commissioners approve the Order for the petition of annexation of territory into the Hoskins-Kings Valley Rural Fire Protection District.

Meeting Motions * I move to ...
I move to approve Order #2021-081 for the annexation of territory into the Hoskins-Kings Valley Rural Fire Protection District by the authority of ORS 198 and 478.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

Annexation_Petition_ maps_Exhibits Hoskins-Kings Valley.pdf	381.96KB
Mailing list_Notice_maps.pdf	237.37KB
120721 - Order 1st PH_Annexation Hoskins_KV Weiland_Estrada.pdf	421.51KB

Comments (optional) Order will be sent in Word and Exhibit A in PDF.
If you have any questions, please call ext.6800

Department Approver GARY STOCKHOFF

Department Approval

Comments

Signature



Gary Stockhoff

BOC Initial Approval

Approvals Required ☒ Counsel ☒ Finance ☐ HR

Counsel Approver VANCE CRONEY
Finance Approver RICHARD CRAGER
County Administrator JOE KERBY
Approver
Comments

Counsel Approval

Comments

Signature



Vance H. Cheney

Finance Approval

Comments

Signature



County Administrator Approval

Comments

Signature

Theresa Kelly

BOC Final Approval

Comments

Signature

Teresa Foley

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**

In the Matter of Approving a Petition	)	FINDING OF FACT
for Annexation of Territory into the	)	CONCLUSIONS OF LAW
Hoskins-Kings Valley Rural Fire	)	ORDER #D2021-081
Protection District	)	

I. Nature of the Proceeding

The above-entitled matter coming now for the consideration of the Board of Commissioners upon a petition submitted by Gerald E. Weiland and Luis Valenzuela Estrada pursuant to ORS198.857. The petition requests the annexation of property described in attached Exhibit "A" into the Hoskins-Kings Valley Rural Fire Protection District, a special district organized pursuant to ORS Chapter 478. The Board of Commissioners held a duly advertised public hearing on December 7, 2021 in the Board of Commissioners' Meeting Room, 205 NW 5th Street, Corvallis, Oregon 97330. All the evidence and testimony having been duly considered, the Board finds as follows:

II. Findings of Fact

- 1) The petition for annexation was filed on October 26, 2021. The public hearing on the annexation was held on December 7, 2021, not less than thirty (30) nor more than fifty (50) days after the petition was filed.
- 2) Notice pursuant to ORS Chapter 198 was mailed November 22, 2021, to all persons with interests in the property to be annexed.
- 3) On October 19, 2021, the Board of Directors of the Hoskins-Kings Valley Rural Fire Protection District endorsed and approved the petition to annex the territory.
- 4) On November 4, 2021, Benton County Community Development Department submitted a memorandum stating that the properties identified as T10S, R5W, Section 07, and Tax Lot 400 is zoned forest conservation. The property has a site-built dwelling built in 1945. The annexation to the Hoskins-Kings Valley Rural Fire Protection District would not violate any zoning or land use regulations.
- 5) The area described for annexation is not currently within a Rural Fire Protection District.
- 6) The Benton County Director of Assessment certified on October 26, 2021, that the petition was signed by the requisite number of qualified owners in Benton County, Oregon as required by Chapter 198.
- 7) The area proposed to be annexed consists of 0.72 acres. The owners of 100% of the acreage have signed the petition for annexation.
- 8) The Benton County Surveyor certifies that the boundary described in the description and map in attached Exhibit "A" accurately reflects the area to be annexed.

III. Conclusions of Law

- 1) ORS 198.857, and the Benton County Code are applicable to the request.
- 2) The petition contains the necessary information, and the number of necessary signatures, and was properly filed pursuant to ORS 198.857.
- 3) The area within the boundary described in attached Exhibit “A” will receive benefits from inclusion in the Hoskins-Kings Valley Rural Fire Protection District for fire protection for the improvements. The provision of such fire protection will not violate any zoning or land use regulations.

IV. Order

Based on the above findings and conclusions, now, therefore, it is hereby ordered:

- 1) The petition for annexation of the territory described and mapped in Exhibit “A”, into the Hoskins-Kings Valley Rural Fire Protection District is approved; and
- 2) The boundaries of the territory to be annexed shall be as described and mapped in attached Exhibit “A”; and
- 3) The territory described and mapped in attached Exhibit “A” is hereby declared annexed into the Hoskins-Kings Valley Rural Fire Protection District.
- 4) Within ten (10) days of the date of this Order, staff is directed to file duplicate copies of this Order with the Oregon Department of Revenue, the Oregon Secretary of State, the Benton County Director of Records and Elections, and the Benton County Assessor.

Adopted this 7th day of December, 2021.

Signed this 7th day of December, 2021.

BENTON COUNTY BOARD OF COMMISSIONERS

Xanthippe Augerot, Chair

Nancy Wyse, Commissioner

Pat Malone, Commissioner

Approved:

Vance Croney, County Counsel

EXHIBIT A**Weiland Resultant Description (Property 1)**

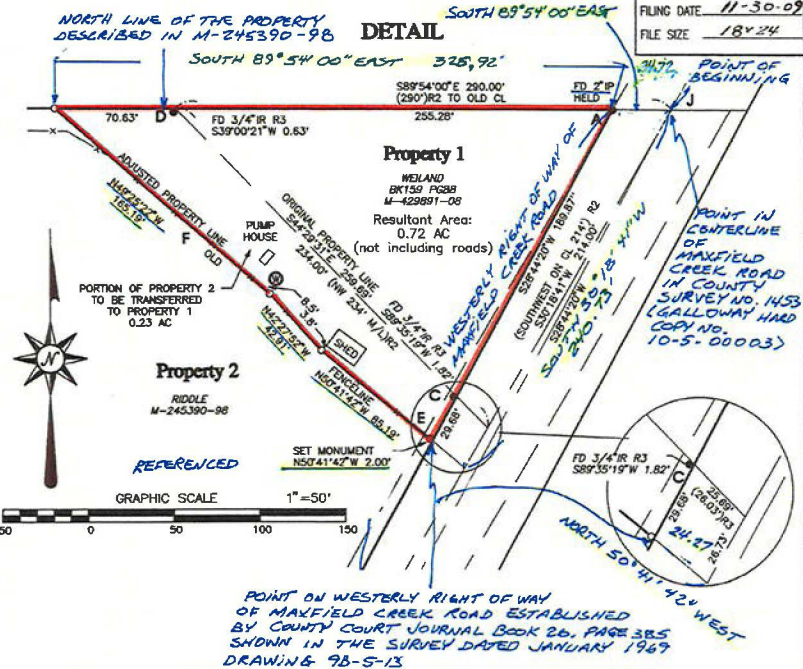
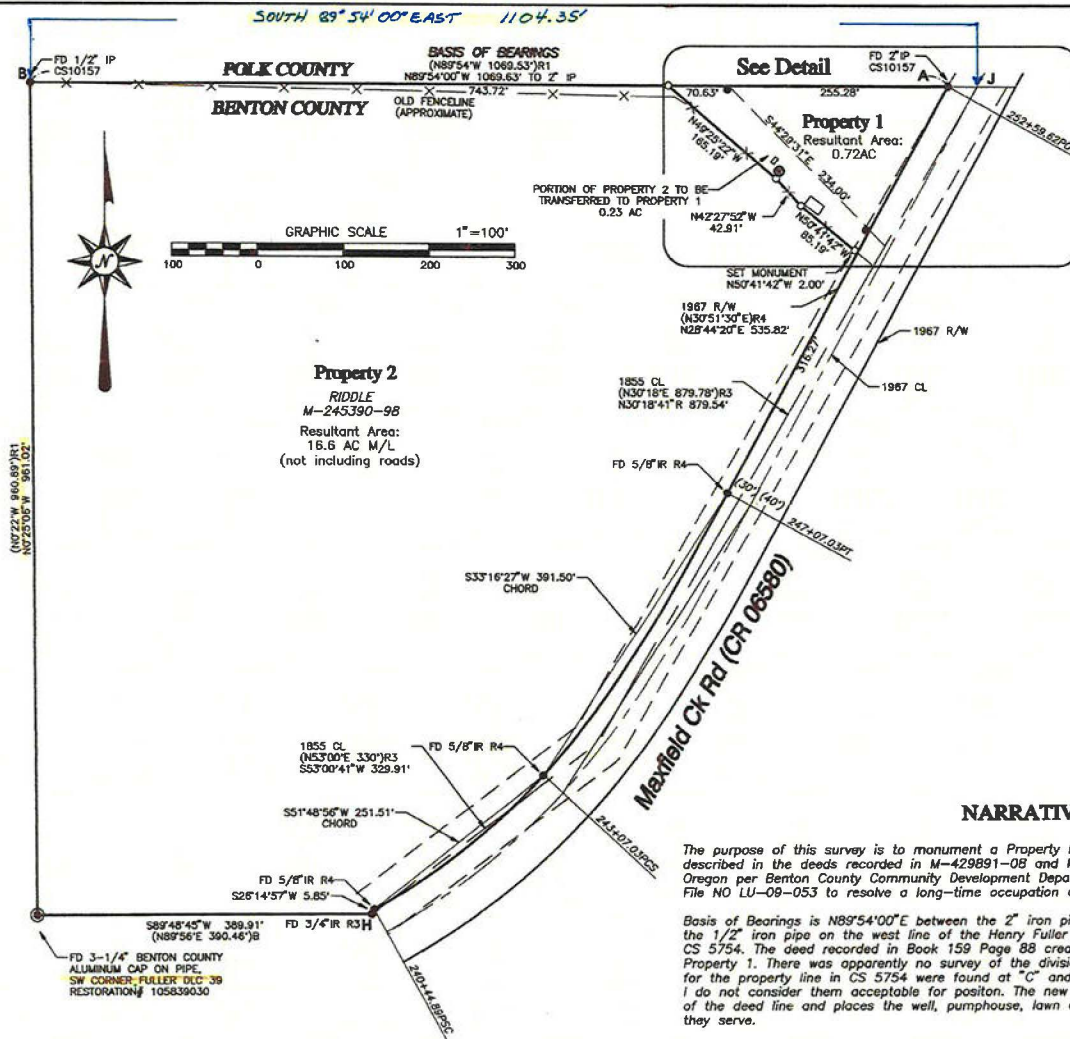
Beginning at a point in the centerline of Maxfield Creek Road (CR 06580) as surveyed in County Survey No. 1453 (Galloway Hard Copy No 10-5-00003), said point lying North 0°26'06" West 961.02 feet and South 89°54'00" East 1104.35 feet from the southwest corner of the Henry Fuller Donation Land Claim No 39, Township 10 South, Range 5 West, Willamette Meridian, Benton County Oregon, said point also lying South 89°54'00" East 34.72 feet from a 2" iron pipe on the Benton County/Polk County line and the westerly right of way line of said Maxfield Creek Road; thence along the centerline of said road South 30°18'41" West 240.73 feet; thence North 50°41'42" West 24.27 feet to a point on the westerly right of way of Maxfield Creek Road as established by County Court Journal Book 26, Page 385 and shown in the survey dated January 1969, Drawing 9B-5-13, said point being referenced by a 5/8" iron rod lying North 50°41'42" West 2.00 feet; thence North 50°41'42" West 85.19 feet to a 5/8" iron rod; thence North 42°27'52" West 42.91 feet to a 5/8" iron rod; thence North 49°25'22" West 165.19 feet to a 5/8" iron rod on north line of the property described in M-245390-98, Deed Records of Benton County and the line between Benton and Polk Counties; thence along said county line South 89°54'00" East 325.92 feet to a 2" iron pipe on the the westerly right of way line of said Maxfield Creek Road; thence South 89°54'00" East 34.72 feet to the point of beginning, and containing 0.72 acres, more or less, not including public roads or highways. This description is derived from the Property Line Adjustment Survey for Jerry Weiland and Mark and Kathy Riddle dated October 22, 2009.



EXP: 12/31/2010

Benton County Surveyor's Office

CS FILE NO. 10396
FILING DATE 11-30-09
FILE SIZE 18" X 24"



NARRATIVE

The purpose of this survey is to monument a Property Line Adjustment between the properties described in the deeds recorded in M-429891-08 and M-245390-98, Deed Records of Benton County, Oregon per Benton County Community Development Department Property Line Adjustment Decision, File NO LU-09-053 to resolve a long-time occupation outside of the deeded lines.

Basis of Bearings is N89°54'00"E between the 2" iron pipe on the County Line at "A", and the 1/2" iron pipe on the west line of the Henry Fuller Donation Land Claim No. 39 at "B" from CS 5754. The deed recorded in Book 159 Page 88 created the triangular property show as part of Property 1. There was apparently no survey of the division line until CS 5754 in 1974. Monuments set for the property line in CS 5754 were found at "C" and "D" but were not called in the original deed and I do not consider them acceptable for position. The new property line runs approximately 35 feet southwest of the deed line and places the well, pumphouse, lawn and garden and garden shed on the property they serve.

Maxfield Creek Road (CR 06580) was realigned in 1964 (CCJ Book 25 Page 398) and again in 1967 (CCJ Book 26 Page 385). The pre-1964 alignment was in existence in 1959 when the original deed to Mr. Weiland's property was written. This centerline was surveyed in GHC 10-5-00003 and again in CS 5754. I located this centerline by extending the line between "B" and "A" 0.526 chains (34.72 feet) to the center of the old county road at "J" per County Field Book 58 Pages 49-52. I then located the monument set in CS 5754 at "H" and rotated and scaled the distances and directions shown in GHC 10-5-00003 and CS 5754 between "H" and "J" to fit.

Monuments for the property line adjustment were set October 22, 2009 and follow the fence and occupation lines between the adjoining owners. The monument at "E" was offset Northeast along the property line 2.00 feet to avoid conflict with underground telephone lines.

Equipment used: Topcon GTS-4, 2" Total Electronic Station

REFERENCES:

Surveys (Benton): GHC 10-5-3 (CS 134), FB 50 PAGE 19&20, CS 10157, CS 5754, CS 1453, FB 58 Pages 49-52, Maxfield Creek Rd, Drawing 9B-5-13.
Deeds (Benton): Book 102 Page 282, Book 159 Page 88, M-245390-98, M-429891-08
County Court Journal (Benton): Book 25 Page 398, Book 26 Page 385.

APPROVED: LU-09-053

Convenient 11/30/2009
Benton County Planning Official Date

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jerry B. Parsons
OREGON
JULY 18, 1980
TYLER B. PARSONS
1918

EXP: 12/31/2010

PROPERTY LINE ADJUSTMENT SURVEY

for
JERRY WEILAND and MARK & KATHY RIDDLE

NW1/4 Sec 7, T10S, R5W, W.M.
Henry Fuller DLC No. 39
Benton & Polk County, Oregon

PARSONS SURVEYING
1915 S.E. Stone Street
Corvallis, OR 97333
(541) 752-7515

Scale: 1" = 100'
Date: 10/22/2009
Drawn: TBP
Project: 0908
Drawing: 0908

REV: 11/19/2009

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR BENTON COUNTY, OREGON**

**IN THE MATTER OF A PETITION FOR)
ANNEXATION OF PROPERTY TO THE)
HOSKINS-KINGS VALLEY RURAL FIRE)
PROTECTION DISTRICT)**

Pursuant to ORS198.857, we, being the owners, contract purchasers and/or residents of the property described on Exhibit "A," petition the Benton County Board of Commissioners to begin proceedings to annex our real property described on Exhibit "A" to the Hoskins-Kings Valley Rural Fire Protection District.

In accordance with the provisions of Chapter 198 Oregon Revised Statutes, the following information is provided:

1. The district affected by this petition is the Hoskins-Kings Valley Rural Fire Protection District and the only county affected is Benton County, of which Benton County is the principal county.
2. The principal act concerning the affected district is Chapter 478, Oregon Revised Statutes, Rural Fire Protection Districts.
3. As indicated opposite each signature, the signers of the petition are, landowners, within the annexation.
4. Petitioners do represent all the landowners within the area sought to be annexed to the district.
5. The organization Hoskins-Kings Valley Rural Fire Protection District requires the following terms and conditions: The petitioners shall pay all costs to Benton County incurred for this annexation.

RECEIVED
OCT 26 2021
BENTON COUNTY

AND FILED

IN WITNESS WHEREOF, we have signed this Petition on the date indicated after our names. (UNLESS OTHERWISE INDICATED, ACRES INDICATED AS OWNED ARE IN BENTON COUNTY AND IN THE TERRITORY SUBJECT TO THIS PETITION.

NAME - Sign above
printed line

Residence

Date

Acres ,



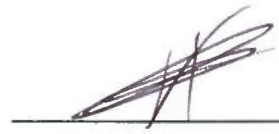
Gerald E. Weiland

25879 Maxfield Creek Rd

10/19/21

0.72

Monmouth, OR 97361



Luis Valenzuela Estrada

25879 Maxfield Creek Rd

10/19/21

0.72

Monmouth, OR 97361

Exhibit A

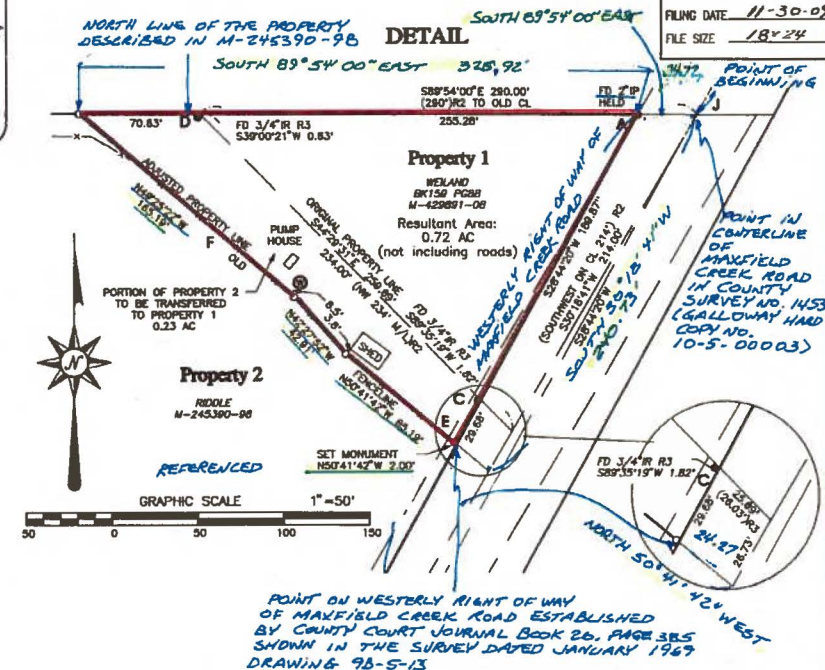
(A description of the boundaries of the territory to be annexed must be attached and marked "Exhibit "A.") along with a map.

EXHIBIT A**Weiland Resultant Description (Property 1)**

Beginning at a point in the centerline of Maxfield Creek Road (CR 06580) as surveyed in County Survey No. 1453 (Galloway Hard Copy No 10-5-00003), said point lying North $0^{\circ}26'06''$ West 961.02 feet and South $89^{\circ}54'00''$ East 1104.35 feet from the southwest corner of the Henry Fuller Donation Land Claim No 39, Township 10 South, Range 5 West, Willamette Meridian, Benton County Oregon, said point also lying South $89^{\circ}54'00''$ East 34.72 feet from a 2" iron pipe on the Benton County/Polk County line and the westerly right of way line of said Maxfield Creek Road; thence along the centerline of said road South $30^{\circ}18'41''$ West 240.73 feet; thence North $50^{\circ}41'42''$ West 24.27 feet to a point on the westerly right of way of Maxfield Creek Road as established by County Court Journal Book 26, Page 385 and shown in the survey dated January 1969, Drawing 9B-5-13, said point being referenced by a 5/8" iron rod lying North $50^{\circ}41'42''$ West 2.00 feet; thence North $50^{\circ}41'42''$ West 85.19 feet to a 5/8" iron rod; thence North $42^{\circ}27'52''$ West 42.91 feet to a 5/8" iron rod; thence North $49^{\circ}25'22''$ West 165.19 feet to a 5/8" iron rod on north line of the property described in M-245390-98, Deed Records of Benton County and the line between Benton and Polk Counties; thence along said county line South $89^{\circ}54'00''$ East 325.92 feet to a 2" iron pipe on the the westerly right of way line of said Maxfield Creek Road; thence South $89^{\circ}54'00''$ East 34.72 feet to the point of beginning, and containing 0.72 acres, more or less, not including public roads or highways. This description is derived from the Property Line Adjustment Survey for Jerry Weiland and Mark and Kathy Riddle dated October 22, 2009.



EXP: 12/31/2010



APPROVED: LU-09-053

Greg Corvett 11/30/2009
Benton County Planning Official Date

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Tyler B. Parsons
OREGON
JULY 18, 1980
TYLER B. PARSONS
1918

EXP: 12/31/2010

PROPERTY LINE ADJUSTMENT
SURVEY

JERRY WEILAND and MARK & KATHY RIDDLE

NW1/4 Sec 7, T10S, R5W. W.M.
Henry Fuller DLC No. 39
Benton & Polk County, Oregon

PARSONS SURVEYING
1915 S.E. Stone Street
Corvallis, OR 97333
(541) 752-7515

Scale: 1" = 100'
Date: 10/22/2009
Drawn: TBP
Project: 0908
Drawing: 0908

REV: 11/19/2009

Exhibit B

Pursuant to a resolution of the Board of Directors of the Hoskins-Kings Valley Rural Fire Protection District, the property described in this Petition is hereby endorsed and approved for annexation to the Hoskins-Kings Valley Rural Fire Protection District.

Name: TEO BAKER Ted Baker
Title: Board Chair
Date: 10-19-21

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

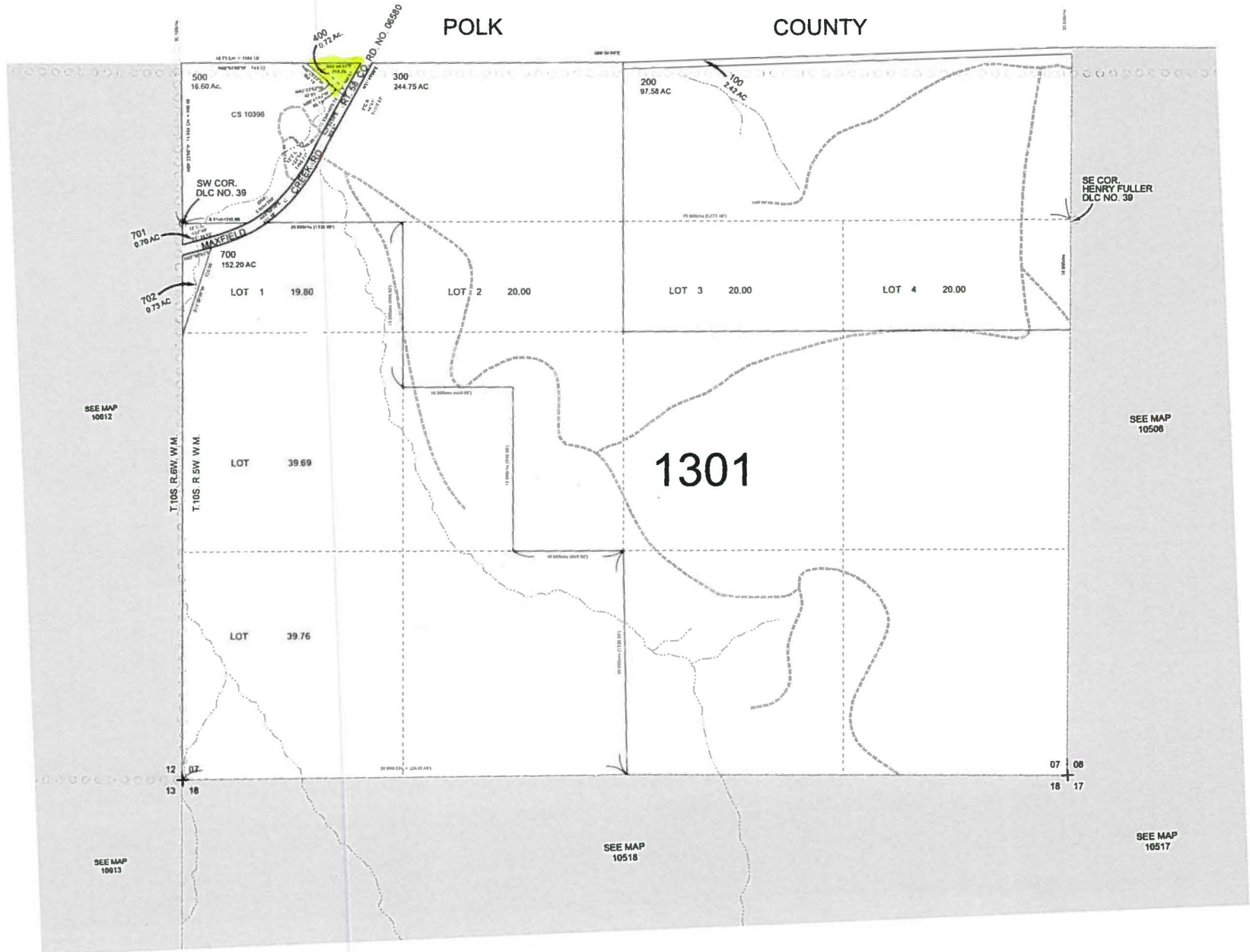
SECTION 7 T.10S. R.5W. W.M.
BENTON COUNTY
1" = 400'

0 200 400 Feet

REV: 04/02/2014
CANCELLED:
501
600

01 06
12 07

08 05
07 08





**Benton
County**
**ASSESSMENT
DEPARTMENT**

Department of Assessment

Office: (541) 766-6855

Fax: (541) 766-6848

4077 SW Research Way.
Corvallis, OR 97333

co.benton.or.us/assessment

District Annexation Petition Review

Property Annexation Petition for Hoskins-Kings Valley Rural Fire Protection District

In response to a request sent to me by the Benton County Surveyor, Joe Mardis, and to the best of my knowledge, the petition signed by Gerald E. Weiland and Luis Valenzuela Estrada, designated as the landowners of the proposed annexation area, was completed in accordance with ORS Chapter 198.

The Benton County Assessor certifies that the last recorded deed document signature matches the signature of the signer with the appropriate records and that the petition is signed by the requisite number of qualified landowners.

In testimony thereof, I have hereunto set my hand this 26th day of October, 2021.

By:

Tami Tracy
Director of Assessment

MAILING LIST:

OREGON STATE DEPARTMENT OF FORESTRY
ATTN: TED ERDMAN
24533 ALSEA HWY
PHILOMATH, OR 97370

HOSKINS-KINGS VALLEY RURAL FIRE PROTECTION DISTRICT
ATTN: TED BAKER OR CHIEF ADAM RYAN
P.O. BOX 116
PHILOMATH, OR 97370

GERALD E. WEILAND
LUIS VALENZUELA ESTRADA
25879 MAXFIELD CREEK RD
MONMOUTH, OR 97361

**NOTICE OF PUBLIC HEARING
FOR
Proposed Annexation of Territory
into the Hoskins-Kings Valley Rural Fire Protection District**

**Benton County Board of Commissioners Meeting
Tuesday, December 7, 2021, 11:00 AM**

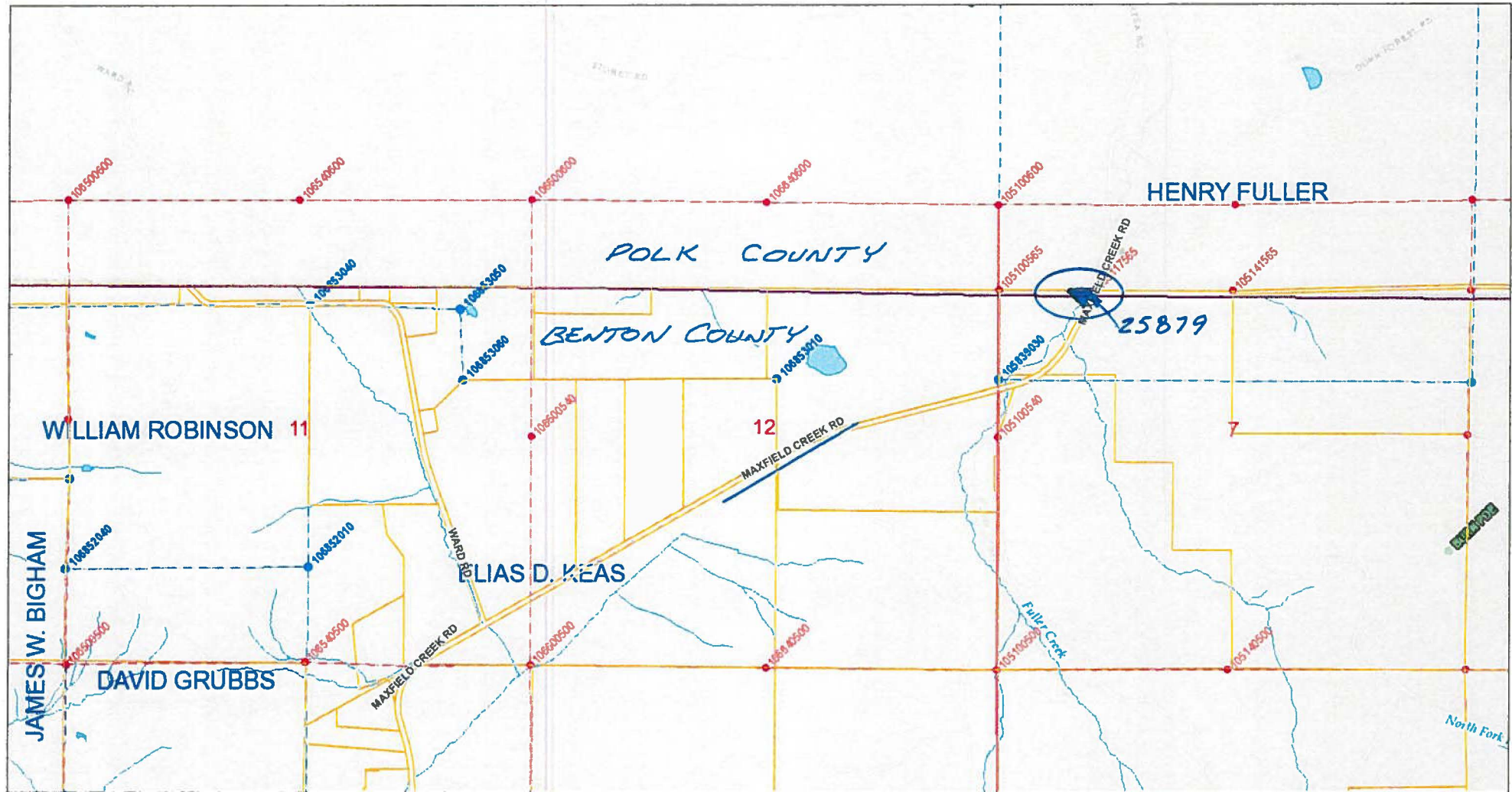
The Benton County Board of Commissioners will hold a public hearing to consider a petition for annexation of territory into the Hoskins-Kings Valley Rural Fire Protection District. The Board of Commissioners will consider the appropriate annexation boundaries and the benefit the proposed annexation will have to said district, pursuant to ORS Chapter 198 and ORS Chapter 478. The territory being considered for annexation is located at 25879 Maxfield Creek Road, Monmouth, Oregon in Township 10 South, Range 5 West, and Section 07, owned by Gerald E. Weiland and Luis Valenzuela Estrada. For a boundary description of the territory, contact the Benton County Surveyors Office at 541-766-6285.

All interested persons are invited to attend this virtual meeting via GoToMeeting <https://global.gotomeeting.com/join/135764773> or dial 1 (408) 650-3123; access code: 135-764-773#. The meeting will also be livestreamed on Facebook at <https://www.facebook.com/BentonCo.Gov>. Written testimony may be mailed to the Benton County Board of Commissioners, 205 NW 5th Street, Corvallis, Oregon 97330 or emailed to bocinfo@co.benton.or.us. To be considered at the hearing, written testimony must be received by the Board of Commissioners Office by 5:00 p.m. on **Monday, December 6, 2021**. For further information, call the Benton County Board of Commissioners Office at 541-766-6800.

Xanthippe Augerot Chair
Nancy Wyse, Commissioner
Pat Malone, Commissioner

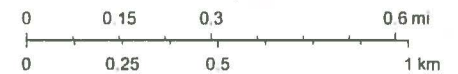
Notice mailed November 22, 2021

Annexation into the Hoskins-Kings Valley RFPD



11/4/2021, 8:36:47 AM

1:18,056

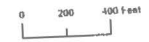


Benton County, Oregon, County of Benton, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, Esri, HERE, U.S. Forest Service

Benton County, Oregon
MAY NOT BE SUITABLE FOR LEGAL, ENGINEERING, OR SURVEY PURPOSES

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

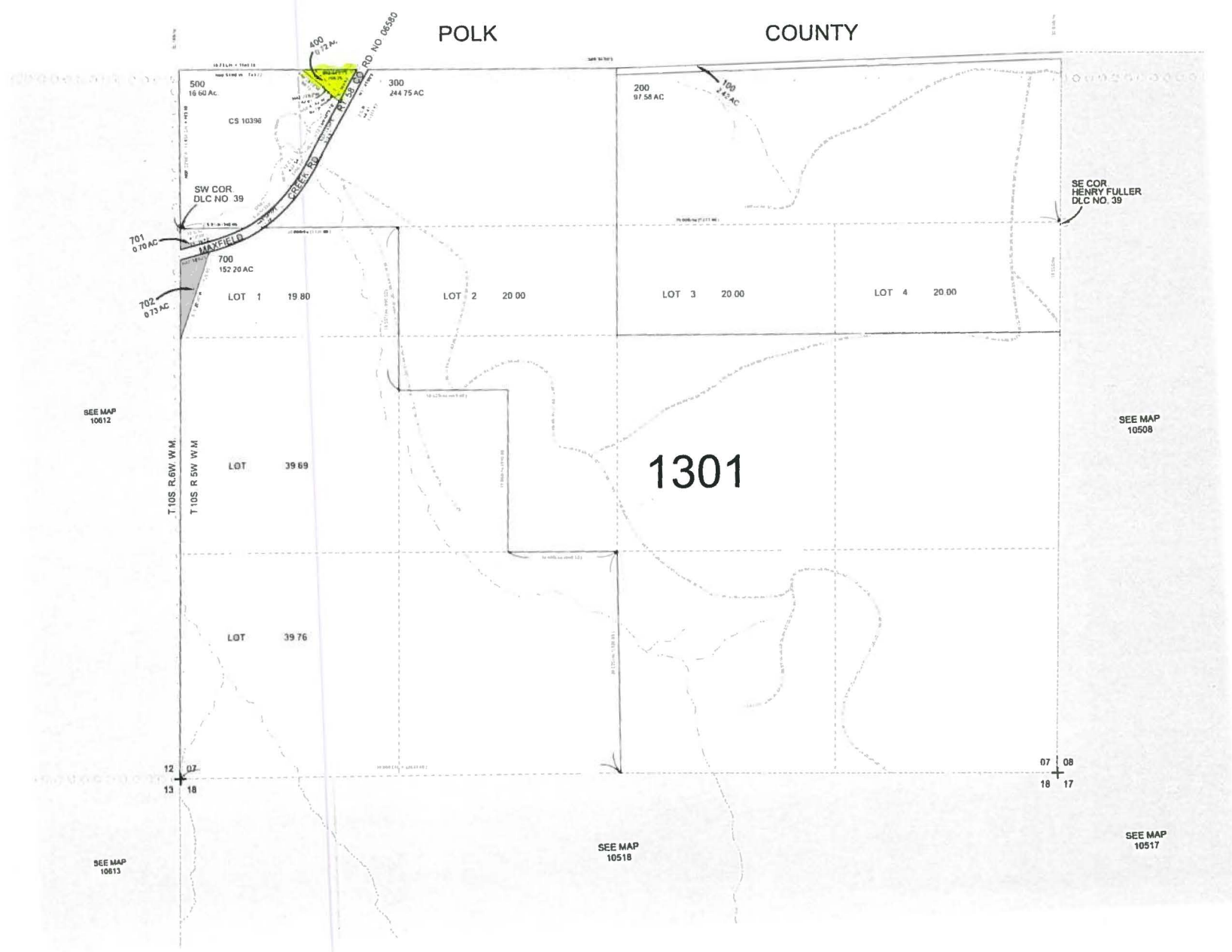
SECTION 7 T.10S. R.5W. W.M.
BENTON COUNTY
1" = 400'



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POLK COUNTY



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10612

SEE MAP
10508

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10613

SEE MAP
10518

SEE MAP
10517

MINUTES

BENTON COUNTY BOARD OF COMMISSIONERS

Tuesday, May 28, 2019

9:00 a.m.

Board of Commissioners Office
Board Meeting Room
205 NW 5th Street, Corvallis, Oregon

Present: Annabelle Jaramillo, Chair; Pat Malone, Vice Chair; Xanthippe Augerot, Commissioner, Joe Kerby, County Administrator

Staff: JonnaVe Stokes, Recorder

Guests: Ashlee Chavez, Andrew Cherbas, Greg Gerding, David Low; Corvallis-Benton County Library; Corvallis-Benton County Library; Bennett Hall, Gazette Times; Arden Ray, community member

Chair Jaramillo opened the meeting at 9:02 a.m.

I. Opening:

A. Introductions

B. Announcements

II. Comments from the Public

Arden Ray Corvallis, Oregon

Ray read aloud and submitted testimony in favor of a requirement that marijuana grows are at least 1,000 feet from any school to protect students; that the Board review land availability in farm and forest zones of the County and prohibit all future indoor and outdoor hemp grows in residential zones. {Exhibit #1: written testimony}.

III. Review and Approve Agenda

No changes were made to the agenda.

IV. Work Session

4.1 Update on Library and Advisory Board – Ashlee Chavez and Board Members; Corvallis-Benton County Library

Presentation: Corvallis-Benton County Public Library Update - 2019

Chavez discussed hours of operation at each of the locations, for the different needs of each community. She provided an update on the Bookmobile that is available around the County; stops can even be requested by community members.

• Monroe Community Library

Hours are shifting starting June 3, 2019, they will be adding evening hours so they can be open during the farmer's market. A new fund was recently started for the Monroe City Library, because the City of Monroe has concerns about maintaining the building long-

term. The library has partnered with the Library Foundation and South Benton Community Enhancement Association to raise and invest funds for the repairs.

- **Philomath Community Library**

This library has the most robust hours in the entire County. Staff are working to expand space for their collection, as well as prepare for future residents and hold events.

- **Alsea Community Library**

The library is adjusting hours to meet community needs. This library is currently having solar panels installed.

Chavez provided an overview of the Library Advisory Board's work last year. They held meetings at or toured all locations in the County, reviewed the budget and levy, developed a new orientation manual for board new members, reviewed and approved art installation at the Corvallis – Benton Library (eagle scout project), reviewed the South Corvallis Urban Renewal District and took formal action, provided input to the City of Corvallis for their strategic operations plan, and reviewed the patron Access and Barriers reports.

This year's budget has not been approved yet and will be sent to the Corvallis City Council for adoption next month. The city's livability levy pays to fund the library services.

There are many events for summer reading, which is the busiest time of the year. Philomath offers free lunches to kids all summer long.

In response to a question from Jaramillo, Chavez replied that there is a lack of meeting space in Philomath, but there has been outreach to senior centers and community centers for lending libraries.

In response to a question to Malone, Chavez shared that the Fenner building is owned by the Library Foundation, but they would like to expand the Corvallis library. A recent space study showed that they need a bigger space and that there is really no use for that space at all, because they are bound to the American's with Disabilities Act. It would be more cost effective to start completely over than bring the building up to code.

In regards to space in the maker's place in the library, construction will begin again in August and will provide a wide open room, concrete floors and workstations. Two programs a week and monthly events occur in the maker's place. This is an enclosed room, surrounded by windows and is strongly catered to families.

In response to a question from Kerby, the library offers three dimensional printers, one time per week up to four hours at a time.

They also offer a collection of "things". This is a collection built off the maker movement offering go pros to metal detectors, a bubble machine, radon detectors, birding kits, Science, Technology, Engineering, Math, robotics, and is the fastest growing collection. It provides access to things you may only need once or have no intention of purchasing at all.

Staff continue to work with the Corvallis-Benton Economic Development office to provide outreach at local events.

4.2 Review County Administrator 2019 Goals – Joe Kerby, County Administrator

Kerby shared a handout of his 2018 goals, some of which were not completed. Kerby asked for feedback on the 2018 goals, that the Board would like to move forward to the next performance period.

Ideas for 2019 were shared by the Board.

Kerby highlighted that the Gather, Organize, Achieve, Lead (GOAL) dashboard is now part of Neo-Gov, which allows users to enter new goals 18-24 months out. Kerby will align his goals with each one of the County's goals, and add them to Department Head performance evaluations.

Augerot feels it may be harder for Kerby to have Smart, Measurable, Achievable, Responsible and Time-bound goals at the level that Kerby is operating. He has multiple goals that involve organizational survey, performance management, training, initiatives, and innovation. She would like to see three or four goals moving forward that have multiple layers built-in, such as innovation and employee engagement. Augerot is not sure how the larger organizational goals fit in, but encouraged Kerby to share how he has advanced these in any given year, not that Kerby must advance each item each year.

Jaramillo believes the overarching goals will make the County more diversified than it is currently. She believes it is important to keep diversity, equity and inclusion a theme of Kerby's goals.

Kerby appreciates the flexibility, referring to the previous goals that he may not have specifically worked on, and noted they still feed into administrator and Countywide goals.

Kerby worked heavily on the Criminal Justice Assessment (CJA), Homeless and Housing, Fairgrounds Master Planning and the Transient Lodging Tax over the past year.

Malone recommended working on one goal to create a culture of succession planning. There are not a lot of opportunities for staff crossover and organizational culture currently, and he recommended working on financial stability plan for the organization.

Kerby noted that Finance Director Mary Otley would be retiring in 12-15 months and the Community Health Center's Director Sherlyn Dahl will also be retiring in 12 months. He would like to tie succession planning to those two departments. Kerby will continue to focus on the Public Employee Retirement System planning with Otley.

Jaramillo mentioned the innovative ways to look at infrastructure in terms of commonality among departments in the future.

Augerot commented that facilities planning will be key in the next 2-4 years in long-term planning, and believes that a sustainability policy should come before projects not after they are complete, especially as the County moves into CJA planning.

Kerby is making one specific change related to utility districts and will be adding this to his goals. Public Works Director Stockhoff will begin addressing infrastructure and financial portions of the districts.

Jaramillo mentioned that the districts move in waves, and that you only hear from the community when there is a problem. She would like to see the community engaged in helping create solutions.

Augerot recommends adding technology and utilizing best practices, instead of only being reactive when those communities have concerns.

Malone recommended succession planning among the service districts and noted they may need reinvigoration and public engagement.

Augerot recommended an annual all district meeting for sewer and water system service districts to provide learning and crossover opportunities, which could lead to additional opportunities for growth.

A capital improvement program for each district is underway. There are no back-up plans for service districts, they have to work and function at a certain level and the community needs to be made aware of that information.

Kerby asked for additional feedback on his goals.

Jaramillo mentioned that many of the 2019 goal items are already in progress.

Augerot would like to address what level of service is provided to the districts, especially for resiliency. Do the districts have backup fuel and supplies, are they expected to operate in emergency situations, and noted the need to address how prepared each community needs to be. The local communities need to be asked what they want to invest into their own systems.

Jaramillo mentioned working with the City of Corvallis on the South Third Service District, when they plan to incorporate into the urban renewal district. **{Exhibit #2: 2019 Draft Goal Discussion}**.

V. *(The chief purpose of “Information Sharing” items is to allow the Board of Commissioners time and a venue to update one another of their individual activities.)*

5.1 Annabelle Jaramillo, Chair

Jaramillo requested an update from the Courthouse Preservation Committee during a regular Board meeting. This would be an opportune time to share what we have done and what we need to work on, while planning conversations are occurring.

The legislature is planning to be in session this weekend. Jaramillo requested that staff confirm attendance before Saturday’s Legislative Breakfast.

5.2 Pat Malone, Commissioner

Malone attended a meeting in Bellfountain last week for an awards ceremony. It was well attended with about 50 attendees, where half a dozen historical awards were given.

He also attended an Imagine Corvallis Action Network emergency preparedness meeting where they worked in small groups to implement an emergency supply system that included a “go bag”, with items a person would need if they were not able to get home. Three awards were provided in the amounts of \$200, \$300, and \$500. Over fifty volunteers attended. The County Emergency Services Planner Bryan Lee was one of the judges and organizers of the event.

Malone made reference to the Paradise City, California wildfire emergency as a good example of an area that utilized Federal Emergency Management Agency funds to rebuild. Malone believes we can learn from that situation and utilize local resources to preplan and work on prevention of future wildfires. Paradise City lost 19,000 structures and 85 people during that event. The city is now looking at purchasing property where previous homes existed and turning them into green spaces, that could provide spaces to park emergency vehicles since there was no room for them during the wildfire.

Augerot noted that at the National Association of Counties convention, prevention funds were being discussed. Some attendees at the event were very interested in high-risk area models and would like to see more of them to help with risk-based planning. There are places in our local area that only have one road in and out, similar to Paradise City.

Jaramillo has concerns with some of the newer developments. They have so many people and cars in a small area with little access. She is concerned with how they are being designed and worries about residents getting out of high rise buildings in case of emergencies.

Kerby noted that cluster planning has been part of the landscape over the last 10-15 years and it continues to be part of city and county codes. Access is still addressed and at one time, was not part of the conversation at all.

Malone recently attended the monthly Emergency Operations Center meeting, where half of the group trained at the command center and half trained at the fire station, because neither area is large enough to include the whole team. Staff agreed it was great to see the command center and learn about communications during an event. If an actual event occurred Fire and Emergency Medical Service responders may meet at another location. The fairgrounds was mentioned (but it is not ready at this time); the group needs a larger space that could be used as a reunification center or as part of communications hub. At the fire hall, attendees worked on an active shooter drill. Being prepared now is being taken more seriously now than it has in the past.

Augerot commented on Bryan Lee and Dave Busby's synergy between the County and City of Corvallis, and noted an active shooter exercise next month drill will occur next month at Crescent Valley High School after school hours.

The Board debriefed with Hall regarding the April flood event citing water release and spillage from the dams from Dorena and Fern Ridge Reservoirs as the reason for the Willamette flooding.

Augerot attended an event where the Army Corps of Engineers was discussing the removal of the drop site from the Long Tom. Corps staff shared that the latest flood incident was caused by fill rate and timing, and noted we should expect more of these events in the future.

5.3 Xanthippe Augerot, Commissioner

Augerot was asked to attend an event where the Old Mill Center and Families is receiving a grant, in Monroe from 4:00 – 6:00 p.m. She would like the County to have a presence at the event, since the Board will be in budget hearings and cannot attend. The Community Development Director Greg Verret and Health Department Director Dawn Emerick were recommended to provide a presence. Anne Schuster will be presenting the award.

VI. Other

No other items were discussed.

VII. Adjournment

Jaramillo adjourned the meeting at 10:53 a.m.

Annabelle Jaramillo, Chair

JonnaVe Stokes, Recorder

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 12/07/21

View [Agenda Tracker](#)

Suggested Placement * Meeting

Department * Public Works

Contact Name * George Looney, Greg Verret, Lynne McKee

Phone Extension * 6204, 6294, 6090

Meeting Attendee Name * George, Greg, Lynne

Agenda Item Details



Item Title * Revising Fees for Permits, Applications, and Services in Public Works, Community Development Planning Division and Natural Areas, Parks & Events for 2022

Item Involves * Check all that apply

- ☐ Appointments
- ☐ Budget
- ☐ Contract/Agreement
- ☒ Discussion and Action
- ☐ Discussion Only
- ☐ Document Recording
- ☐ Employment
- ☐ Notice of Intent
- ☒ Order/Resolution
- ☐ Ordinance/Public Hearing 1st Reading
- ☐ Ordinance/Public Hearing 2nd Reading
- ☐ Proclamation
- ☐ Project/Committee Update
- ☐ Public Comment
- ☐ Special Report
- ☐ Other

Estimated Time * 30 minutes

Board/Committee Involvement *
☐ Yes
☒ No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

This agenda item is prepared collaboratively between Public Works, Community Development, Planning Division, and Natural Areas, Parks & Events. The departments have reviewed existing fees and bring their issues and recommendations together as one action. The fee tables are proposed to have an effective date of January 1, 2022.

Community Development, Planning Division – See Attachment A

Overview

The Planning Division proposes across-the-board increases of 5%. Our goal is to maintain fee revenue relative to the increasing costs of providing fee-covered services. Despite the disruption caused to our community by COVID-19, the number of development applications and customer service demands have remained at normal levels and sometimes higher than normal levels.

New Fees

- The partitions without a public hearing have been split into two categories:
 - o “Planning Review for Standard Parcels, ministerial review” This category is for partitions that do not require discretionary review. Typically involving resource zone properties for which the proposed parcels meet the minimum parcel size.
 - o “Planning Review for Standard Parcels, quasi-judicial review” This category is for the majority of partitions and include discretionary requirements such as road improvements, water testing requirements, and/or Measure 49 Final Order conditions.
 - o “Public Hearing requested by app, add on” This category is for situations where the code does not require a public hearing, but a public hearing is requested by the applicant. Public hearings require extra staff time to prepare for and attend. This fee was calculated by subtracting the difference in fees for a Conditional Use Application when a hearing is required and when one is not.

Existing Fee Changes

The format of the proposed fee updates has been adjusted slightly from last year. The 5% increase to the planning base fee (blue columns) is now being calculated separately from the notice fees, legal advertisement fees and recording fees (green columns). The 5% increase has been added to the planning based fee and then rounded (see “2022 Planning Base Fee, Rounded” column) before the other fees are added to create the total fee.

Similarly, the different notice categories are first being increased by 5% and rounded as their own line items (see Page 4), then that final amount is used for the notice fee amounts in the green columns. This is intended to increase transparency about how much these notice fees are and when they are being charged and to make it easier to calculate the fees each year.

Due to the code amendments adopted per Ordinance 2021-0304 (Floodplain Management-related amendments to the Development Code), the code no longer requires an Administrative Review for property line adjustments that contain regulated floodplain. As a result, this property line adjustment fee category is proposed for removal. This is shown as being struck through.

The fee for well test notification is actual cost (as it has been in previous years) but we are proposing to increase the deposit required so that it more closely approximates what the ultimate cost is likely to be. Current deposit = \$360; proposed deposit = \$500.

Subdivision: Based on the experience in 2021, of our first subdivision application in more than a decade, our subdivision review fee does not cover costs. The

proposal is for a significant increase in the base fee for the Planning Division (from \$2,105 to \$3,125) and an increase in the per-lot fee (from \$220 to \$250). For a 10-lot subdivision, the fee would be (\$5,625) that would cover approximately 40 hours of staff time. Given the complexity of regulations and multi-agency coordination required for a subdivision, 40 hours will be accurate in some cases and an under-estimate in others. In terms of the outlays and revenues involved in a subdivision, \$5,625 is fairly marginal.

Summary

These proposed changes will likely slightly increase overall revenues. Adjustments to the partition applications will more accurately cover fees that we pay for notices and the legal advertisement.

The Planning Division is approximately 15% fee supported, the remaining revenue coming from the County General Fund. On the fee schedule, fees under \$100 are rounded to the nearest \$1, and fees of \$100 and greater are rounded to the nearest \$5. The fee charged for a particular land use application is intended to cover the cost of processing that application on average. The remaining Division functions – long-range planning, code enforcement, providing information to the public – are funded by the County General Fund.

Public Works – See Attachment B

The Public Works Department fees were last increased by 3.8% on January 1, 2021. For 2022, the Public Works Department proposes using the automatic annual incremental increase by the amount of the Western Region CPI plus 2% or 5%, whichever is lesser (normally greater). It was determined that the inflation rate over the prior 12 months ending August 31, 2021, was 5.0% due to the pandemic; therefore, Public Works proposes to increase its rates by 5.0% for 2022 instead of the allowable 7%. On the fee schedule, fees under \$100 are rounded to the nearest \$1, and fees of \$100 and greater are rounded to the nearest \$5.

Natural Areas & Parks – See Attachment C

Fairgrounds and Natural Areas and Parks Departments did not increase any service fees in 2021, due to COVID. After recent surveys of competitive markets, NAPE is proposing 2022 fees with some recommended increases and other fees remaining unchanged. See Attachment C for current fees and proposed 2022 fees for NAPE services.

Options *

- 1) Accept proposed fee increases.
- 2) Reject the proposed fee increases.
- 3) Provide alternative direction to staff.

Fiscal Impact *

- ☒ Yes
☐ No

Fiscal Impact Description *

For Community Development, Planning Division, at projected numbers of permits, the new fees will increase annual revenue by approximately \$5,000.

For the Public Works Department, based on the revenue collected from 2020 permit fees, the new fees will result in increased revenue of approximately \$4,000 to \$5,000.

For Natural Areas & Parks, there will be very little or no increase in revenue.

2040 Thriving Communities Initiative

Mandated Service? * ☒ Yes
☐ No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Mandated Service Description * If this agenda checklist describes a mandated service or other function, please describe here.
Several of fees relate to mandated services.

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values * Select all that apply.

- ☐ Vibrant, Livable Communities
- ☐ Supportive People Resources
- ☐ High Quality Environment and Access
- ☐ Diverse Economy that Fits
- ☐ Community Resilience
- ☒ Equity for Everyone
- ☐ Health in All Actions
- ☐ N/A

Explain Core Values Selections * Fees are charged to those that require the services; making this action equitable for all.

Focus Areas and Vision * Select all that apply.

- ☒ Community Safety
- ☐ Emergency Preparedness
- ☒ Outdoor Recreation
- ☐ Prosperous Economy
- ☐ Environment and Natural Resources
- ☒ Mobility and Transportation
- ☒ Housing and Growth
- ☐ Arts, Entertainment, Culture, and History
- ☐ Food and Agriculture
- ☐ Lifelong Learning and Education
- ☐ N/A

Explain Focus Areas and Vision Selection * These fees support the services the departments' provide.

Recommendations and Motions

Item Recommendations and Motions

Staff
Recommendations * Staff recommends Option #1.

Meeting Motions * I move to ...
I move to approve Order #D2021-079A setting fees for Community
Development, Natural Areas, Parks & Events and Public Works for 2022.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

Attachment A - 2022 BOC Proposed Planning Fees.pdf	589.82KB
Attachment B - PW Fees for 2022.docx	35.25KB
Revised 2022 Fees for Public Works_ Community Development_NAP ORDER-Draft.docx	21.81KB
Attachment C - 2022 NAPE Proposed fees.pdf	1.21MB

Comments (optional) If you have any questions, please call ext.6800

Department Approver

Department Approval

Comments

Signature



Gary Stockhoff

BOC Initial Approval

Approvals Required ☒ Counsel ☒ Finance ☐ HR

Counsel Approver VANCE CRONEY

Finance Approver MARY OTLEY

County Administrator JOE KERBY

County Administrator Approver

Comments

Counsel Approval

Comments

Signature



Vance H. Cheney

Finance Approval

Comments

Signature

Mary K. Otley

County Administrator Approval

Comments

Signature

Theresa Kelly

BOC Final Approval

Comments

Signature

Teresa Foley

**In the Matter of Revising Fees for)
Permits, Applications and Services) ORDER NO. D2021-079A
Provided by the Community Development,)
Natural Areas, Parks and Events)
and Public Works, Departments)**

Pat Malone, Commissioner

Land Use Application Fee Schedule 2022

Fee Description	2021 Total Fees (Base, notice, legal ad, recording fees)	2021 Planning Base Fee	Add 5% to Base Fee	2022 Planning Base Fee, Rounded	Notice of App. Fee	Notice of Decision Fee	Legal Ad Fee	Fee for Recording Docs	Proposed 2022 Planning Fees	Total % Change
Permit Review and Related Actions										
Code Enforcement		Actual Cost							Actual Cost	No change
Unauthorized Land Use Activities		Double the Standard Fee							Double the Standard Fee	No change
Erosion & Sediment Control Permit (planning review only, PW fees separate)		\$93.00	\$97.65	\$98					\$98.00	5%
Floodplain Development Permit (all development activities in a floodplain)		\$0.00	\$0.00	N/A					\$0.00	N/A
Floodplain Review of Structural Permit or MH Placement		\$150.00	\$157.50	\$160					\$160.00	7%
Permit Zoning Compliance Review (Resid/Comm Structural, Change of Use/Occ, Manufactured Home Placement, and Modular/Prefab) (1.5 hr Plan Tech time)		\$95.00	\$99.75	\$100					\$100.00	5%
Demolition Permit (1 hr Plan Tech time)		\$60.00	\$63.00	\$63					\$63.00	5%
Replacement Dwelling Permit (Demo in EFU/MPA/FC)		\$200.00	\$210.00	\$210					\$210.00	5%
Agricultural Building Permit (incl prep/rec. of covenant)	\$283	\$205.00	\$215.25	\$215				\$78	\$293.00	4%
Water Reviews (water quality and well pump tests) - for new homes or bldgs. requiring public occupancy		\$60.00	\$63.00	\$63					\$63.00	5%
Septic Reviews (Full) (Feasibility, Alteration, Authorization)		\$115.00	\$120.75	\$120					\$120.00	4%
Septic Review (Partial)		\$58.00	\$60.90	\$61					\$61.00	5%
RV Placement Land Use Application		\$95.00	\$99.75	\$100					\$100.00	5%
Dwellings on Resource Land										
Dwelling - EFU Accessory Farm-related	\$1,288	\$1,105	\$1,160.74	\$1,160		\$110		\$78	\$1,348.00	5%
Dwelling - EFU Farm Related - 160 acres or more	\$508	\$430	\$451.50	\$450				\$78	\$528.00	4%
Dwelling - EFU Income Test on less than 160 acres	\$1,163	\$981	\$1,029.96	\$1,030		\$110		\$78	\$1,218.00	5%
Dwelling - EFU Farm-help for a Relative	\$668	\$485	\$508.99	\$510		\$110		\$78	\$698.00	4%
Dwelling - EFU Lot of Record: <u>Non</u> -High value soils	\$1,743	\$1,209	\$1,269.73	\$1,270	\$165	\$55	\$250	\$78	\$1,818.00	4%
High value soils	\$2,513	\$1,941	\$2,038.46	\$2,040	\$165	\$55	\$250	\$78	\$2,588.00	3%
Dwelling - EFU Non-farm: West of Coast Range (requires Planning Commission hearing)	\$2,368	\$1,832	\$1,924.02	\$1,925	\$165	\$55	\$250	\$78	\$2,473.00	4%
East of Coast Range	Actual cost; \$4,000 dep.								Actual cost; \$4,000 dep.	

Land Use Application Fee Schedule 2022

Fee Description	2021 Total Fees (Base, notice, legal ad, recording fees)	2021 Planning Base Fee	Add 5% to Base Fee	2022 Planning Base Fee, Rounded	Notice of App. Fee	Notice of Decision Fee	Legal Ad Fee	Fee for Recording Docs	Proposed 2022 Planning Fees	Total % Change
Dwelling - Forest: 160 acres or more (admin review notice)	\$713	\$531	\$557.76	\$560		\$110		\$78	\$748.00	5%
Lot of Record Forest Dwelling	\$1,743	\$1,207	\$1,267.77	\$1,270	\$165	\$55	\$250	\$78	\$1,818.00	4%
Template Test Dwelling	\$2,528	\$1,992	\$2,092.02	\$2,090	\$165	\$55	\$250	\$78	\$2,638.00	4%
Land Divisions										
Consolidation per BCC 94.100		\$345	\$362.25	\$360.00					\$360.00	4%
Well Test Notification (4 hours staff time) Base Fee; additional time charged at staff hourly rate provided below		\$360							\$500.00	4 hrs staff time, base fee
Land Div. w/in Corvallis UGB (add to partition/subdiv. fees)		\$530	\$556.50	\$555					\$555.00	5%
<u>Partition - No Public Hearing:</u>										
Planning Review for Standard Parcels, ministerial review	New Fee	\$685	\$719.33	\$720					\$720.00	New Fee
Planning Review for Standard Parcels, quasi-judicial review	New Fee	\$685	\$719.25	\$720	\$165	\$55	\$250		\$1,190.00	New Fee
Non-Standard Parcels per BCC 64.305(2) add to std fee		\$55	\$57.75	\$58					\$58.00	5%
Per Parcel Planning Fee		\$195	\$204.75	\$205					\$205.00	5%
<u>Partition - Series or Public Hearing:</u>										
Planning Review	\$2,015	\$1,557	\$1,634.85	\$1,635	\$165	\$55	\$250		\$2,105.00	4%
Per Parcel Planning Fee		\$195	\$204.75	\$205					\$205.00	5%
<u>Property Line Adjustments:</u>										
<u>Ministerial</u> (incl. fees for 3 recorded docs, 2pgs ea)	\$914	\$575	\$603.75	\$605				\$339	\$944.00	3%
<u>Administrative</u> (incl. fees 3 recorded docs, 2pgs ea)	\$1,144	\$701	\$735.68	\$735		\$110		\$339	\$1,184.00	3%
<u>Quasi-Judicial</u> (incl. fees 3 recorded docs, 2pgs ea)	\$1,644	\$845	\$887.18	\$885	\$165	\$55	\$250	\$339	\$1,694.00	3%
Additional PLA application(s) concurrently reviewed		50% planning fee							50% planning fee	
<u>Subdivision:</u>										
Planning Review	\$2,105	\$1,645	\$1,727.49	\$3,125	\$165	\$55	\$250		\$3,595.00	71%
Per Lot Planning Fee		\$220	\$231.00	\$250					\$250.00	14%
Other Land Use Applications										
Administrative Review (only notice of decision req.)	\$665	\$561	\$588.55	\$590		\$110			\$700.00	5%
Agritourism: Single-event license, per ORS 215.283(4)(b)		\$345	\$362.25	\$360					\$360.00	4%
Single event/activity, per ORS 215.283(4)(a)	\$1,745	\$1,287	\$1,351.48	\$1,350	\$165	\$55	\$250		\$1,820.00	4%
Up to 6 events/activities, per ORS 215.283(4)(c)	\$2,260	\$1,801	\$1,890.98	\$1,890	\$165	\$55	\$250		\$2,360.00	4%
Up to 18 events/activities, per ORS 215.283(4)(d)	\$2,530	\$2,071	\$2,174.35	\$2,175	\$165	\$55	\$250		\$2,645.00	5%

Land Use Application Fee Schedule 2022

Fee Description	2021 Total Fees (Base, notice, legal ad, recording fees)	2021 Planning Base Fee	Add 5% to Base Fee	2022 Planning Base Fee, Rounded	Notice of App. Fee	Notice of Decision Fee	Legal Ad Fee	Fee for Recording Docs	Proposed 2022 Planning Fees	Total % Change
Conditional Use: Staff Decision or Greenway	\$1,745	\$1,287	\$1,351.48	\$1,350	\$165	\$55	\$250		\$1,820.00	4%
Planning Commission Hearing	\$2,290	\$1,832	\$1,923.67	\$1,925	\$165	\$55	\$250		\$2,395.00	5%
Create a Tax Lot/Deed Release		\$155	\$162.75	\$165					\$165.00	6%
Floodplain, Land Development Activities (large projects)	\$435	\$332	\$348.77	\$350		\$110			\$460.00	6%
Floodplain Minor Variance		\$320	\$336.00	\$335					\$335.00	5%
Home Occupation (not in EFU/FC, or CUPs) (No renewal fee)		\$345	\$362.25	\$360					\$360.00	4%
Hydrogeologic Proposal and Study - Review		Actual cost*; \$1,500							Actual cost*; \$1,500 deposit	No change
Interp. of Code, Written <i>(Also use this fee for FC siting standard review when dwelling location not previously reviewed thru LU file)</i>	\$805	\$452	\$474.11	\$475		\$110	\$250		\$835.00	4%
Medical Hardship (EFU, FC) CUP	\$1,198	\$661	\$694.27	\$695	\$165	\$55	\$250	\$78	\$1,243.00	4%
Medical Hardship (Non-Resource Zone)	\$533	\$298	\$312.81	\$315	\$165			\$78	\$558.00	5%
Ministerial Review, no notice or legal ad		\$345	\$362.25	\$360					\$360.00	4%
Modification to Natural Features Standards (Corvallis UGB):										
Implementation Plan (88.800(3) to (9)) & Non-Discretionary Review (88.800(1))	\$600	\$600	\$630.00	\$630					\$630.00	5%
Discretionary review per BCC 88.800(2)	\$1,440	\$981	\$1,029.96	\$1,030	\$165	\$55	\$250		\$1,500.00	4%
Non-Conforming Use Alteration or Expansion	\$1,445	\$986	\$1,035.41	\$1,035	\$165	\$55	\$250		\$1,505.00	4%
Site Development Plan Review: No site visit		\$415	\$435.75	\$435					\$435.00	5%
With site visit		\$625	\$656.25	\$655					\$655.00	5%
Variance	\$1,375	\$919	\$964.56	\$965	\$165	\$55	\$250		\$1,435.00	4%
Vested Right	\$1,610	\$1,152	\$1,209.79	\$1,210	\$165	\$55	\$250		\$1,680.00	4%
Winery (base fee) per BCC 55.150	\$665	\$561	\$588.55	\$590		\$110			\$700.00	5%
Winery License for 1 to 6 events		\$345	\$362.25	\$360					\$360.00	4%
Winery Permit for 7+ events	\$730	\$628	\$659.39	\$660		\$110			\$770.00	5%
Zone/Comp Plan Changes: (incl 2 legal ads, full notice)										
Zone change only	\$3,240	\$2,533	\$2,659.36	\$2,660	\$165	\$55	\$500		\$3,380.00	4%
Zone/Comp Plan change without Goal Exception	\$3,580	\$2,870	\$3,013.57	\$3,015	\$165	\$55	\$500		\$3,735.00	4%
Zone/Comp Plan change w/ Goal Exception or UGB Expansion	\$5,005	\$4,297	\$4,512.19	\$4,510	\$165	\$55	\$500		\$5,230.00	4%
Mineral & Aggregate Overlay-Zone/Comp Plan change		Actual cost*; \$4,000 dep.							Actual cost*; \$4,000 dep.	N/A

Land Use Application Fee Schedule 2022

Fee Description	2021 Total Fees (Base, notice, legal ad, recording fees)	2021 Planning Base Fee	Add 5% to Base Fee	2022 Planning Base Fee, Rounded	Notice of App. Fee	Notice of Decision Fee	Legal Ad Fee	Fee for Recording Docs	Proposed 2022 Planning Fees	Total % Change
Appeals										
Appeal of a Planning Commission decision		Actual cost*; deposit of orig. app. fee							Actual cost*; deposit of orig. app. fee	N/A
Appeal of a Planning Official’s decision (\$250 per statute)		\$250							\$250.00	N/A
Remand hearing	\$1,775	\$1,318	\$1,384.17	\$1,385	\$165	\$55	\$250		\$1,855.00	5%
Other										
Research - Hourly Staff Fee - reqs. 1 hr. deposit (non-discretionary legal parcel determinations, extensions, general)		\$120	\$126.00	\$125					\$125.00	4%
Other Services		Actual Hourly Rate							Actual Hourly Rate	No change
B&W Photo Copies/Prints Letter & Legal sizes		\$0.25	\$0.25	\$0.25					\$0.25	No change
All Color Photo Copies/Prints & 11 x 17 (poster size)		\$1	\$1	\$1					\$1	No change
Refund Check Processing		\$25	\$25.00	\$25					\$25	No change
Insufficient Funds Processing		\$25	\$25.00	\$25					\$25	No change

Department: Public Works
Approved Fees: December 2021 (Effective Jan 1, 2022)
Prepared by: George Looney

Attachment B

Background

Cost accounting analysis was used to determine the cost of delivering services as compared with the revenue generated by the fees for those services. During the 2004-05 FY and the 2005-06 FY, it was determined that about 50% of the cost of providing services was recovered through the fees for those services. It's Public Works' policy to recover its costs as much as practical, and as much as costs can be assigned to specific activities. One area where it's difficult to recover costs is in the pre-application stage when staff time is required to help customers gather information.

The Public Works Department fees were last increased by 3.8% on January 1, 2021. For 2022, the Public Works Department proposes using the automatic annual incremental increase by the amount of the Western Region CPI plus 2% or 5%, whichever is lesser (normally greater). It was determined that the inflation rate over the prior 12 months ending August 31, 2021, was 5.0% due to the pandemic; therefore, Public Works proposes to increase its rates by 5.0% for 2022 instead of the allowable 7%. On the fee schedule, fees under \$100 are rounded to the nearest \$1, and fees of \$100 and greater are rounded to the nearest \$5.

ATTACHMENT B

Public Works Department: Approved Fee Schedule for 2022

Avery Offices Reproduction Fees: The reproduction fees for the Avery Complex were determined from the actual cost of materials purchased, the maintenance costs associated with the various copiers and plotters, and staff time.

1 Fee Schedule Title or Description	2 Current Charge	3 Approved Change	4 Reason for Recommendation
Mailing Services	Actual cost including postage and handling	Actual cost including postage and handling	No change
B&W Photo Copies 8 ½ x 11	\$0.25	\$0.25	No change
8 ½ x 14	\$0.25	\$0.25	No change
11 x 17	\$1.00	\$1.00	No change
18 x 20	\$1.50	\$1.50	No change
18 x 24	\$1.75	\$1.75	No change
18 x 30	\$2.25	\$2.25	No change
24 x 36	\$3.25	\$3.25	No change
Misc.	\$0.60/sq. ft.	\$0.60/sq. ft.	No change
Color Photo Copies 8 ½ x 11	\$1.00	\$1.00	No change
8 ½ x 14	\$1.00	\$1.00	No change
11 x 17	\$1.00	\$1.00	No change
Aerial Photos (blackline 18 x 20)	\$5.00	\$5.00	No change
County Maps – 911	\$3.00/single \$30.00/set	Charge removed per Engineering	No longer charging for this service
Custom Maps (special orders)	Actual - \$15 minimum	Actual - \$15 minimum	No change
Special Plotter Maps	\$1.00 sq. ft.	\$1.00 sq. ft.	No change
Compact Disc Copies	Actual Cost	Actual Cost	No change
Planning Commission Hearing tapes	\$11.00	\$11.00	No change

1	2	3	4
Fee Schedule Title or Description	Current Charge	Approved Change	Reason for Recommendation

Property Services

Property/Road Vacation	\$1,970.00	\$2,065.00	The property/road vacation process involves set procedures outlined in the Oregon Revised Statutes. The costs include, customer contacts, review of application, deed research, two Board of Commissioner hearings, posting of notice on site and in the newspaper, road official report, recording of documents, and revising various county records. Increased by 5.0%.
Reimbursement Districts Application	\$1,970.00	\$2,065.00	The application fee covers the County's cost for: bringing the application to one or two Board of Commissioners meetings, County Engineer's report and revisions, notification by certified mail to affected property owners both prior to the public meeting and after the decision, and recording the final documents. Increased by 5.0%.
Way of Necessity	Actual	Actual	The level of effort varies with each action.
Survey Map Filing Fee	\$210.00	\$220.00	The level of review for this activity is required though Oregon Revised Statute Chapter 209 and Benton County Map Standards. Increased by 5.0%.
Boundary Certification	Actual	Actual	No change
Legal Descriptions	Actual	Actual	No change
Affidavit to Re-establish	\$104.00	\$110.00	Increased by 5.0%.

Monuments within Recorded Plats

Affidavit of Correction	\$109.00	\$115.00	Increased by 5.0%.
Covenant Preparation	Actual	Actual	No change
Road Districts	Actual	Actual	No change
Deed Release	Actual	Actual	No change
Other Services (Research, staff time, etc.)	Actual	Actual	No change

1 Fee Schedule Title or Description	2 Current Charge	3 Approved Change	4 Reason for Recommendation
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Public Improvements:

Assessment Improvement District:	12 percent for engineering or actual cost, if less. 3 percent for engineering administration and overhead or actual cost, if less. Total charges equal 15 percent of construction cost.	No change	
Private Contract Improvements: (Improvement Agreements)	2½ percent of construction cost for engineering review, plans check, and administration. 1½ percent of construction cost for inspection. Total charges equal 4 percent of construction cost.	No change	

Other Road Related Fees or Permits

Overload Permit/Non Bridge	\$8.50	No change	Overload permits fees are set by the State.
Overload Permit/Bridge:	\$8.50	No change	Overload permits fees are set by the State.
No Spray Permit	\$5.00	No change	Begin cost recovery for No Spray signs.
Special Events Permit	\$56.00	\$59.00	Increased by 5.0%.
Misc. Permit in R.O.W.	4% of the cost of work in R.O.W. Minimum fee of \$25.00.	4% of the cost of work in R.O.W. Minimum fee of \$25.00.	No increase. For the 2012 year, Public Works decreased the minimum fee by 35%, to \$25. Also, fees may be waived for activities that benefit the citizens of Benton County as determined by the Road Manager on a case by case basis.
Land Use Application and Permit to Occupy Public Right-of-Way	\$73.00	\$77.00 - A one-time fee for each request. Fee pays for subsequent inspection.	The application fee is for private citizens that wish to occupy the County ROW (i.e. landscape, pasture, farming, timber). The proposed use cannot interfere with normal County road maintenance, and must be immediately moved out of the ROW at the request of the County. Increased by 5.0%

1 Fee Schedule Title or Description	2 Current Charge	3 Approved Change	4 Reason for Recommendation
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Road Name Change	\$460.00 Signs and post installations are not charged out (Chapter 7, County Code)	\$480.00 Signs and post installations are not charged out (Chapter 7, County Code)	The road name change requires customer contacts, review of petition, public hearing, and the making and installation of the new sign. Under Chapter 7, Section 7.125 (2), road name signs shall be constructed and installed without charge by the Public Works Department. Increased by 5.0%.
Road Approach	\$315.00	\$330.00	The road approach process requires some engineering site review analysis and several field visits to approve the installation. This fee has an additional \$45 fee collected by the Building Department in Community Development that is included in their fees. Prior to 2021, the accumulative of both fees was shown in Public Works; for clarity, they were separated as of 2021. Increased by 5.0%
Address assignment	\$66.00	\$69.00	Increased by 5.0%.

Land Development

Utility Permit	\$400.00 min plus actual	\$420.00 min plus actual	Increased by 5.0%.
Building Permits & Plan	Residential: \$62.00 Commercial: \$200.00	Residential: \$65.00 Commercial: \$210.00	Review, accessory, remodel, etc. Increased by 5.0%.
Engineering Land Use Application Review Fee	Subdivision: \$200.00 Partition: \$99.00	Subdivision: \$210.00 Partition: \$105.00	This fee helps recover a portion of the costs incurred by staff to complete these reviews associated with proposed private developments prior to land use approval. Increased by 5.0%
Erosion and Sediment Control Permit Application	\$565.00	\$590.00	Required under EPA-DEQ mandated NPDES regulations (Benton County Development Code 99.650). Increased by 5.0%.
Modular/ Prefab permit & Plan Review	\$62.00	\$65.00	Increased by 5.0%.
Drainage Analysis	Basic: \$94.00 Advanced: \$370.00	Basic: \$99.00 Advanced: \$390.00	Basic Drainage Analysis – staff review of basic hydraulic calculations Advanced Drainage Analysis – staff review of computer generated hydraulic analysis model

1 Fee Schedule Title or Description	2 Current Charge	3 Approved Change	4 Reason for Recommendation
			The fees helps recover a portion of the costs incurred by staff to complete these reviews associated with private developments. Increased by 5.0%
Manufactured Home Permits	\$62.00	\$65.00	Increased by 5.0%.
Other Services	Actual	Actual	No change

1	2	3	4
Fee Schedule Title or Description	Current Charge	Approved Change	Reason for Recommendation

Land Use Applications

Parcel Line Adjustment	\$275.00	\$290.00	The level of review for this activity is required though Oregon Revised Statute Chapter 209 and Benton County Map. Increased by 5.0%.
Partition Plat (County)	\$360.00 plus \$104.00 per parcel	\$375.00 plus \$110.00 per parcel	The level of review for this activity is required though Oregon Revised Statute Chapter 92 and Benton County Partition Plat Standards. Increased by 5.0%.
Partition Plat (City)	\$360.00	\$375.00	The County Surveyors office reviews all City and County partitions for statutory and county requirements. Increased by 5.0%.

Subdivisions

Preliminary Plat.	\$270.00	\$280.00	Increased by 5.0%.
Pre Monumented Subdivision (County)	\$1,230.00 plus \$110.00 per lot	\$1,290.00 plus \$115.00 per lot	The level of review for this activity is required though Oregon Revised Statute Chapter 92 and Benton County Partition Plat Standards. Increased by 5.0%.
Post Monumented Subdivision (County)	\$1,735.00 plus \$110.00 per lot plus 120% bond for monumenting property corners	\$1,820.00 plus \$115.00 per lot plus 120% bond for monumenting property corners	The activity for the post monumented plat is the same as the pre monumented plat except county staff has an additional field check and additional document checks. Increased by 5.0%.

Pre Monumented

Subdivision (City)	\$1,230.00 plus \$45.00 per lot	\$1,290.00 plus \$47.00 per lot	The level of review for this activity is required though Oregon Revised Statute Chapter 92 and Benton County Partition Plat Standards. Increased by 5.0%.
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1 Fee Schedule Title or Description	2 Current Charge	3 Approved Change	4 Reason for Recommendation
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Post Monumented

Subdivision (City)	\$1,735.00 plus \$56.00 per lot. Plus 120% bond for monumenting property corners	\$1,820.00 plus \$58.00 per lot. Plus 120% bond for monumenting property corners	The activity for the post monumented plat is the same as the pre monumented plat except county staff has an additional field check and additional document checks. Increased by 5.0%.
Planned Unit Development	\$1,735.00 plus \$56.00 per lot. Plus 120% bond for monumenting property corners	\$1,820.00 plus \$58.00 per lot. plus 120% bond for monumenting property corners	The activity for the post monumented plat is the same as the pre monumented plat except county staff has an additional field check and additional document checks. Increased by 5.0%.
Condominium	\$1,230.00 plus \$45.00 per unit plus 120% bond for monumenting property corners	\$1,290.00 plus \$47.00 per unit plus 120% bond for monumenting property corners	Increased by 5.0%.

Government Corners

Corner Restoration	\$10 for each document as authorized under ORS 205.130(2)	\$10 for each document as authorized under ORS 205.130(2)	No change. Pursuant to Benton County Code, chapter 25.110, the fee for establishment, reestablishment, and maintenance of corners of government survey under ORS 209.070(5) shall be set annually by order of the Board of Commissioners, upon recommendation of the County Surveyor. Under ORS 205.130(2), \$10 is the maximum recording fee that can be assessed on behalf of the Corner Restoration Fund.
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NATURAL AREAS, PARKS AND EVENTS DEPARTMENT

2022 PROPOSED FEES FOR SERVICES

SERVICE	CURRENT FEE	PROPOSED FEE
RV STORAGE		
Tall Livestock Sheds	\$3.50/linear foot/month	\$3.65/linear foot/month
Short Livestock Sheds	\$3.25/linear foot/month	\$3.40/linear foot/month
RV PARK/CAMPGROUND/GUARD ST		
Benton Oaks Daily Full Hook-Up	\$42	No Change
Benton Oaks Daily Partial Hook-Up	\$38	No Change
Benton Oaks Weekly Full Hook-Up	\$275	No Change
Benton Oaks Weekly Partial Hook-Up	\$250	No Change
Benton Oaks Monthly Winter Rate (December – April)	\$650	\$700
Cancellation Fee up to 48 Hours	\$15	No Change
Cancellation Fee within 48 Hours	No Refund	No Change
Dump Station	\$5	\$7
Overnight Parking (no hook-up)	\$10	No Change
Salmonberry Daily Rate RV space (May – Labor Day)	\$32 + one tent	\$35 + one tent
Salmonberry Daily Rate RV space (Labor Day – October)	\$22 + one tent	\$25 + one tent
Salmonberry Daily Tent Rate (May – Labor Day)	\$25	\$30
Salmonberry Daily Tent Rate (Labor Day – October)	\$15	\$20
Salmonberry Additional Tent/Space	\$5	\$10
Salmonberry Online Reservation Fee	\$10	No Change
Salmonberry Additional Vehicle	\$8	\$10
Salmonberry Cabin & Yurt	\$50	No Change
Salmonberry Senior Discount	\$3	No Change
Salmonberry Veteran Discount	\$5	No Change
Alsea Guard Station	\$90 + \$100 Deposit	No Change
FACILITY RENTALS		
Fairgrounds (See Attachment)		
Marquee Sign	\$3,500/year	No Change
Picnic Shelters Weekday	\$60 + \$100 Deposit	No Change
Picnic Shelters Weekend	\$110 + \$100 Deposit	No Change
Equipment Bags	\$15	No Change
Special Use Permit (Per Event)	\$50	\$60
Large Gathering Permit	\$1,000	\$1,250

Beazell Weekday (Mon-Thu) Half Day	\$335	\$350
Beazell Weekday (Mon-Thu) Full Day	\$500	\$550
Beazell Weekend (Fri-Sun) Set-Up	N/A	\$450
Beazell Weekend (Fri-Sun) Event Day	\$850	\$900
Beazell Refundable Deposit	\$850	\$900
CRYSTAL LAKE CEMETERY		
Pioneer Section Burial	\$1,200	No Change
Double Depth 2 nd Casket Pioneer	\$1,000	No Change
New Section Burial	\$700	No Change
Double Depth 2 nd Casket New Section	\$500	No Change
Mausoleum Niche - Top Level	\$450	No Change
Mausoleum Niche – Glass Front Large	\$2,000	No Change
Additional Urn in Niche	\$500	No Change
Opening/Closing Niche	\$535	No Change
Engraving of Niche Doors	\$150	No Change
Columbarium 12"x12" Niche	\$1,300	No Change
FAIR TICKETS		
Adult Day Pass	\$10 Gate/\$8 Advance	No Change
Senior/Youth Day Pass (62+/6-16)	\$5 Gate/\$4 Advance	No Change
Children 5 and Under	Free Admission	No Change
Annual Pass Adult	\$20	No Change
Annual Pass Senior/Youth	\$12	No Change
Veterans/Active Military	Free Admission	No Change
4-H Participants	Free Admission	No Change
Carnival Wristband	Set by Carnival Company	N/A
Family Fun Day (16 & under free)	Wednesday of Fair	No Change
Senior Day (62+ free)	Thursday of Fair	No Change
Fair Parking	\$5/vehicle	No Change
Commercial & Food Vendors	See Attachment	No Change

Equipment Request Form

Must be returned 45 days prior to event date

Booking #:	Event Name:	Event Date(s):
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All full rentals are from 7:30am to Midnight.

List the number of items you will need (as close as possible) so we can make sure all the items you have requested are in the building for your set up.

QTY	Equipment	Rate Per	Used	QTY	Special Services	Rate Per	Used
	Additional Chairs	\$1/\$1.50			Arena Roll	\$395	
	Classroom Tables	\$6/\$7			Arena Till	\$65/\$80	
	5ft Round Tables	\$6/\$7			Arena Tractor Drag	\$125/\$80	
	8ft Rectangular Tables	\$6/\$7			Arena Watering	\$50	
	Podium (Large)	\$30			Forklift & Tractor Work	\$60/hr	
	Podium (Small)	\$10			Park Bench (Concrete)	\$20	
	Flip Chart With Paper	\$5			Park Bench (Metal)	\$10	
	Sandwich Boards	\$10			Ticket Booth(Main Gate)	\$100/\$150	
	Stage w/Set Up (8'x4')	\$30/secti			Ticket Booth (Portable)	\$100	
	Wooden Trellis	\$45			Dumpster 350+ People	\$100	
	Picnic Tables	\$20			Dumpster 500+ People	\$175	
	Barricades/Cones	\$5			Lg. Concrete Blocks	\$50/\$75	
	Animal Cages	\$3			Electrical Drop Each	\$105	
	Bleachers (Double set)	\$195					
	Bleachers (Single set)	\$95					
QTY	Electronics	Rate Per	Used	QTY	Setup Services	Rate Per	Used
	46" Flat Screen TV	\$30			Tables	\$2	
	PA System (Permanent)	\$30			Chairs	\$1	
	PA System (Portable)	\$50			Trash Cans	\$10	
	Projector & Screen	\$40			Loaded ATM	FREE	
	Screen only	\$10			Grounds PA System	FREE	
	Spider Box 4-6 15 amp	\$115					

Rentals Come with:

**Auditorium 80 Chairs & 10 - 8' Tables,
Auditorium Boardroom 12 Chairs & 3 - 8' Tables
Auditorium Conference Room 20 Chairs & 4 - 8'
TablesGuerber Hall 60 Chairs & 8 - 8' Tables
Guerber Boardroom 12 Chairs & 3 - 8' Tables
Solar Building Boardroom 12 Chairs & 3 - 8'
TablesLawns & Parking Lots include 2 trash cans**

THE FACILITY DOES NOT RENT OR PROVIDE LADDERS OR EXTENSION CORDS

Benton County Event Center & Fairgrounds

110 SW 53rd Street Corvallis, OR 97333

Phone: (541) 766-6521

www.bceventcentercorvallis.net

All rentals are from 7:30am to Midnight

Effective December 2017/2022 **rates Subject to Change



Building	General Information	Current Rate/Proposed Rate
Auditorium	5,510 sq ft (58'X95') Banquet Seating: 282 Audience Seating: 300	Monday-Thursday – \$550/\$580 Friday-Sunday - \$890/\$940 Mon-Thu Whole Building - \$700/\$740
	Set up & Teardown Day	Mon-Thu \$275/\$290 Fri-Sun \$445/\$470
Auditorium Conference Room	1,160 sq ft (29'X40') Class Room Seating: 44 Audience Seating: 68	Monday - Thursday- \$190/\$200
	Set up & Teardown Day	\$95/\$100
Auditorium Board Room		Monday - Thursday \$100
Auditorium Kitchen		\$250/day (25% off 8+ bookings) \$150 with building rental
Benton Arena	33,000 sq ft (150'X220') 8,000 sq ft paved	Monday-Thursday- \$500/\$530 Friday-Sunday- \$750/\$800
	Set up & Teardown Day	Mon-Thu \$250/\$265 Fri-Sun \$375/\$400
Floral Courtyard	7,000 sq ft (70'X100') Open Grass 240 sq ft (12'X20') Covered Stage 2,400 sq ft Covered Concrete Walkways	Monday-Thursday - \$285/\$300 Friday-Sunday - \$480/\$510
	Set up & Teardown Day	Mon-Thu \$142/\$150 Fri-Sun \$240/\$255
Guerber Hall	4,320 sq ft (60'X72') Banquet Seating: 165 Audience Seating: 253 Meeting Room Included Friday - Sunday	Monday-Thursday - \$420/\$444 Friday-Sunday - \$625/\$660
	Set up & Teardown Day	Mon-Thu \$210/\$222 Fri-Sun \$312/\$330
Guerber Hall Meeting Room	294 sq ft (21'X14')	Monday-Thursday \$70/\$74
Outdoor Arena	24,000 sq ft (200'X120')	Monday-Thursday –\$350/\$370 Friday-Sunday – \$610/\$640
	Set up & Teardown	\$140/\$150
Hull Oakes Picnic Table	1,500 sq ft (15'X100') Seats 110	\$120/\$130
Solar Building	11,000 sq ft (55'X200')	Monday- Thursday \$200/\$212 Friday-Sunday \$300/\$318
	Set up & Teardown	Mon-Thu \$100/\$106; Fri-Sun \$150/\$159
Main Lawn	58,077 sq ft	\$290/\$310
South Lawn	15,841 sq ft	\$220/\$235
Oak Grove	49,943 sq ft	\$290/\$310
Auditorium Parking Lot	36,592 sq ft	\$220/\$235
South Parking Lot Full Lot	209,919 sq ft	\$375/\$398
South Parking Lot Half Lot	104,959 sq ft	\$220/\$235

2022 BENTON COUNTY FAIR & RODEO Vendor Information

Fair Dates: August 3 - 6

Fair hours: Wed. & Thur. -11am-11 pm; Fri. & Sat. – 11am-Midnight

FUNPORIUM & Exhibit Buildings open to the public: Wed-Sat 11am-10 pm

Fair Office (Carriage House) hours: 9 am- 7 pm during Fair

Buildings are open to vendors at 10:00 am and to the public at 11 am. Use Livestock Gate or West Gate for Early-Entry.

Buildings close at 10 pm.

Indoor Space, Benton Arena with pipe & drape:

10' x 10' Inline	\$325
10' x 10' Corner	\$375
10' x 20' Double Inline	\$560
10'x20' Inline with one Corner	\$610
10'x30' Inline Triple NO Corner	\$785
10'x30' Triple with one Corner	\$850

Outdoor Space – space only:

10' x 10' Inline	\$270
10'x10' Corner	\$325
10'x20' Double Inline	\$455
10'x20' Double Inline/Corner Combo	\$505

Canopy Prices:

For pricing and ordering call 541-766-6088

Food Vendors

Basic Space Fee	\$350
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(Includes space for Concession stand with prep area)

Commission (on gross sales)	19%
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**Discount for Certified Green Vendor* 1%

Discount for local non-profit / service club vendor 1%

* A certified Green Vendor uses all compostable products and business practices; Food vendors are certified by our County sustainable committee.

Stock Truck/Trailer Permit	\$60
Power for Stock Truck / Trailer	\$30
Red Lot Parking (limited)	\$60

Electricity 500 Watts, 120V provided with space

Additional 500 watts \$35

220V Hook up – minimum charge \$210

Please be sure to indicate if 220V are required

All electrical cords must be at least 12 gauge and no longer than 25 feet; Food vendors may have longer cords. See #9 of Contract Terms and Conditions.

Tables & Chairs must be ordered in advance

Tables \$25/ea/4 days

Chairs – (2 free with each booth) \$5/ea/4 days

Camping – LIMITED Availability!

Full Hook-Up (Spaces & hookups maybe be shared) \$40/night

Power & Water Only (tents allowed) \$35/night

Package Delivery

If you have packages delivered to the Fair Office, it is your responsibility to pick up your packages without notification from Fair Staff. If your packages are arriving C.O.D., please arrange with Fair Staff .

Insurance

All vendors are required to submit a certificate of insurance showing liability coverage

Applications and Contracts - Commercial space applications require a \$100 reservation fee; this does not apply to Food Vendors. If you do not receive a contract for space, the fee will be refunded. **Refunds will NOT be made for cancellations.** The Fair will try to honor requests for specific locations, but will not guarantee requested placement.