



Board of Commissioners
 Office: (541) 766-6800
 Fax: (541) 766-6893
 4500 SW Research Way
 Corvallis, OR 97333
 co.benton.or.us

AGENDA

(Chair May Alter the Agenda)

BENTON COUNTY BOARD OF COMMISSIONERS

Tuesday, December 19, 2023, 9 AM

How to Participate in the Board of Commissioners Meeting			
In-Person	Zoom Video	Zoom Phone Audio	Facebook LiveStream
Kalapuya Building 4500 Research Way Corvallis, OR	Click for Zoom link	Dial 1(253) 215-8782	Click for Facebook LiveStream link
	Zoom Meeting ID: 869 9774 6482		
	Zoom Passcode: 090026		

1. Opening

- 1.1 Call to Order
- 1.2 Introductions
- 1.3 Announcements

2. Review and Approve Agenda

3. 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

4. Work Session

- 4.1 10 minutes – Monthly Health Update – April Holland, Health Services

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

5. Consent Calendar

- 5.1 Reappointments to the Cascades West Area Commission on Transportation (CWACT) of Pat Malone and Gary Stockhoff
- 5.2 Approval of the November 7, 2023 Tuesday Board Meeting Minutes
- 5.3 Approval of the following Appointments and Reappointments:

	Board/Committee:	Order:	Appointees:
5.3.A.	Reappointment to Budget Committee	#D2023-094	Elizabeth Irish
5.3.B.	Reappointment to Environment, Natural Resources Advisory Committee	#D2023-095	Deb Merchant, Chris Andersen, Robert Swan, Jason Schindler, Mike Hughes
5.3.C.	Reappointment to Fair Board	#D2023-096	Rick Freeman
5.3.D.	Appointment to Natural Areas and Parks Board	#D2023-097	Duncan Rothe
5.3.E.	Appointment to Planning Commission	#D2023-098	Sara Cash
5.3.F.	Reappointments to Planning Commission	#D2023-099	Nick Fowler, Evelyn Lee, Elizabeth Irish

Public Hearings

(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 20 minutes – In the Matter of a Public Hearing Regarding Supplemental Budget 240601, Resolution R2023-024 – *Jenn Ambuehl, Financial Services*

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.

PH 2 20 minutes – Continuation of the November 28, 2023 Public Hearing Regarding Solid Waste Collection: Annual Rate Increase Request, Order #D2023-092 – *Darren Nichols, Daniel Redick; Community Development; Julie Jackson, Republic Services*

PH 3 20 minutes – Continuation of the December 5, 2023 Public Hearing Regarding an Amendment to Benton County Code, Chapter 9, Ordinance 2023-0322 – *Tomi Douglas, Natural Areas, Parks, and Events*

7. New Business

- 7.1 10 minutes – In the Matter of Changing the Name of the Board of Property Tax Appeals (BOPTA) to the Property Value Appeals Board (PVAB) and Increasing the Terms of Members to Two Years, Order #D2023-100 – *James Morales, Records and Elections*
- 7.2 10 minutes – Discussion Regarding a Resolution to Support Establishment of a Continuum of Care for the Linn, Benton, and Lincoln Counties Region and Registering with the United States Department of Housing and Urban Development in 2024 – *Board of Commissioners*

8. 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.”

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.

CONSENT CALENDAR

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

In the Matter of Reappointments to the) ORDER #D2023-101
CASCADES WEST AREA)
COMMISSION ON TRANSPORTATION)

THE ABOVE-ENTITLED MATTER COMING NOW FOR THE CONSIDERATION
OF THE BOARD AND,

IT APPEARING TO THE BOARD

THAT the following qualified and knowledgeable individuals have indicated a
willingness to serve on this board:

<u>Name</u>	<u>Appointed & Position</u>
Pat Malone	Appointed: 12/19/23 Beginning: 01/01/24 Expires: 12/31/25 Full Commission, County Representative
Gary Stockhoff	Appointed: 12/19/23 Beginning: 01/01/24 Expires: 12/31/25 Full Commission, Alternate Representative and Technical Adv. Committee

NOW, THEREFORE, IT IS HEREBY ORDERED that the above individuals are hereby
appointed to the Cascades West Area Commission on Transportation (CWACT).

Adopted this 19th day of December, 2023.

Signed this 19th day of December, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner

Cascades West Area Commission on Transportation Nomination Form

The following individuals have been nominated to represent (City/County/Port/Tribe) _____ on the Cascades West Area Commission on Transportation (CWACT). The nominations were made during a legally convened public meeting of the (City Council/Commission/Tribal Council) _____ on (date) _____.

Signed: _____ Date _____ Time _____

CWACT Full Commission Primary Representative

Name & Title: _____

Mailing Address: _____

City _____ State _____ Zip _____

Phone: _____ FAX: _____

E-mail: _____

CWACT Full Commission Alternate Representative

Name & Title: _____

Mailing Address: _____

City _____ State _____ Zip _____

Phone: _____ FAX: _____

E-mail: _____

CWACT Technical Advisory Committee (TAC) Representative

Name & Title: _____

Mailing Address: _____

City _____ State _____ Zip _____

Phone: _____ FAX: _____

E-mail: _____

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

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

Tuesday, November 7, 2023

9:00 a.m.

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

Staff: **Justin Carley**, **Josh Gordon**, **Keith Hunnemuller**, **Don Rogers**, **Jef Van Arsdall**, Sheriff's Office; **Rick Crager**, **Debbie Sessions**, Finance; **Cory Grogan**, Public Information Officer; **Amanda Makepeace**, BOC Staff; **Sean McGuire**, Sustainability; **Erika Milo**, BOC Recorder; **Inga Williams**, Community Development

Guests: **Nick Andrews**, **Mark Lapinskas**, **Ryan Schultze**, **Meg Walker**, Oregon Cascades West Council of Governments; Lieutenant Colonel **Steven Bomar**, Major **Chris Klein**, Oregon Military Department; Cadets **Nathaniel Borrego**, **Cailee Ching**, **Baron Egna**, **Elena Kitchens**, **Shale Sabee-Paulson**, Oregon State University Air Force Reserve Officers' Training Corps Drill Team; **Chris Harris**, **John Harris**, Horsepower Productions; **Christopher Jacobs**, Corvallis-Benton Economic Development Office; Sergeant Major (retired) **Vinnie Jacques**, Oregon Army National Guard; **Christine Klein**, **Arlene Merems**, **Ellen Nichols**, **Robert Orton**, **Eileen Stark**, residents; Captain (retired) **Mark Whitney**, United States Army

1. Opening:

1. Call to Order

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

2. Introductions

3. Announcements

No announcements were made.

2. Review and Approve Agenda

The following item was removed from the agenda:

11. Executive Session Under ORS 192.660[2][i] – Performance Review

3. *Comments from the Public

Robert Orton, resident, mechanic at Coffin Butte Landfill (CBL) and member of the International Union of Operating Engineers Local 701, expressed concerns about dangerous working conditions at CBL and the unwillingness of the Department of Environmental Quality, Occupational Safety and Health Administration, or Environmental Protection Agency to monitor CBL's compliance with safety and environmental regulations. Orton stated the County needs to ensure CBL's compliance with the Conditional Use Permit before approving more expansion or permitting.

Arlene Merems, resident, expressed concern that the second reading of the amended Exotic Animal Ordinance took place at the October 24, 2023 Information Sharing Meeting, rather than

at a first/third Tuesday Board Meeting. Merems referred to an email (Exhibit 1) suggesting several corrections and clarifications to the proposed amended Ordinance being presented, including a a loophole in the proposed rodeo exemption which could allow traveling wild animal acts to operate in Benton County if held in conjunction with a rodeo event.

{Exhibit 1: Arlene Merems E-mail November 6, 2023}

4. Proclamation

4.1 Proclaiming November as Military Appreciation Month in Benton County, Proclamation P2023-019 – Mark Lapinskas, Oregon Cascades West Council of Governments

Malone stated it was an honor to recognize all Veterans during Benton County Military Appreciation Month and Veterans Day.

Cadets of the Oregon State University Air Force Reserve Officers' Training Corps Drill Team presented the flags of the United States and the State of Oregon. Ellen Nichols performed the National Anthem. Lapinskas, Veteran and Veterans Services Officer for Benton County, extended thanks to all Veterans and their families, then read the Proclamation aloud.

MOTION: Augerot moved approval of Proclamation #P2023-019 in the matter of proclaiming November as Military Appreciation Month in Benton County. Wyse seconded the motion, which **carried (3-0)**.

Malone noted how important service members and their families are to the community. Malone introduced Retired Sergeant Major Vinnie Jacques, Oregon Army National Guard, who served in Operation Desert Shield/Desert Storm and Operation Iraqi Freedom #2. Jacques' awards include Recipient of the Legion of Merit, Bronze Star, and Purple Heart. Starting in the City of Corvallis, Jacques helped establish the Oregon National Guard Reintegration Program.

Jacques described the achievements of the National Guard Third Platoon, Second Battalion, Bravo Company 2-162, of which he was a member. The Company received the Presidential Unit Citation for heroic action in the Battle of Fallujah. Jacques described how community relationships and Veterans Services Officers help Veterans. Jacques presented the Board with the book The Devil's Sandbox by John R. Brunning about the unit's activities in Iraq.

5. Work Session

5.1 Project Updates from Benton-Corvallis Economic Development Office – Christopher Jacobs, Corvallis-Benton Economic Development Office (EDO)

Jacobs thanked all Veterans for their service. Jacobs reported that 26 Benton County businesses received \$10,000 American Rescue Plan Act grants; 89 applications were submitted, about two-thirds from Corvallis.

The South Corvallis Food Hub sub-recipient agreement has been signed. Jacobs met with dozens of stakeholders about the vision for the Food Hub and best use of \$600,000 in resources. EDO issued a Request For Proposals for a consultant, to be selected in late November or early December 2023. EDO will present a proposal to the Board and Corvallis City Council in late March 2024. If approved, EDO will sign contracts to ensure funds are obligated before the June 2024 deadline and spent by the end of 2024. The consultant will determine feasibility of the

Food Hub and identify the best location. EDO hopes to negotiate agreements with partners with commercial kitchens, such as Natural Areas, Parks & Events (NAPE) and the Fairgrounds. EDO will also develop equipment and infrastructure to support local food businesses. The consultant will identify barriers, find grants, and make recommendations for financial stability. There are no ongoing commitments to support the Food Hub. Other Food Hubs operate on public assistance (municipalities, grants, and foundations). Jacobs has not seen a Food Hub that is financially sustainable on its own, so staff propose working with food businesses as users and operators.

Malone asked Jacobs to define 'Food Hub' in the context of South Corvallis.

Jacobs replied there are many definitions. Social Services providers would like a commercial kitchen for congregate meal sites; others want commercial food processing, aggregation, and distribution. This Food Hub will improve commercial opportunities for food businesses and improve food access. There will be a public information meeting in mid-November 2023 to collect input and expand awareness.

The Corvallis City Council approved the Enterprise Zone application for Corvallis business NaturalPoint last month. There is a large demand for industrial space in Benton County, but very few appropriately zoned buildings available. Jacobs met with 20 businesses. Over the last 90 days, there has been a spike of people interested in site selection, public incentives, and the development review process. EDO is making an inventory of vacant industrial lands and finding public-private partnerships to build new industrial properties and retain emerging businesses. Last night, the Corvallis City Council accepted \$75,000 for wetland delineation; there is a lot of potential for that at the Airport Industrial Park (AIP). EDO's focus is to provide a consistent guide to development and get more certified shovel-ready sites throughout the County. Jacobs has met with elected officials in Adair Village, Alsea, Philomath, and Monroe. Jacobs felt that EDO performance gauges could be improved. EDO speaks to 100 businesses every year, but could do more and compile better metrics, such as the industrial occupancy rate and vacant industrial lands inventory.

Augerot concurred about the importance of shovel-ready sites for businesses emerging from Oregon State University, Hewlett-Packard, and others. Augerot praised the Food Hub progress. Many community members will be eager to play a role.

Wyse agreed about needing better metrics. As Board Liaison for the Economic Development Coalition, Wyse requested notification when group meetings resumes.

Malone commented that some opportunities were missed due to the long vacancy. One reason for the vacancy was re-organizing the office. Malone asked Jacobs to describe the change.

Jacobs replied that in the 2010s, EDO had a director and one staff person. When Kate Porsche became director, EDO grew to about 3.7 full-time staff in order to take over some climate-related responsibilities. Now, the Corvallis City Manager's Office will manage the climate aspects, so EDO will solely focus on economic development. EDO is interviewing for one full-time staff person to assist Jacobs.

Malone asked about the status of the AIP effort.

Jacobs replied that EDO will work more with its Strategic Operational plan in late November-early December 2023; Jacobs will propose zoning changes to make that process easier. EDO is

working closely with Benton County Community Development. Helping communities and businesses stay competitive is a top priority.

6. Consent Calendar

6.1 Approval of the October 17, 2023 Board Meeting Minutes

Augerot requested a correction of item 6.1 on packet page 17 to reflect her comment that Community Corrections funding was a top priority for the Association of Oregon Counties, rather than for the State Legislature as stated in the minutes.

MOTION: Augerot moved to approve the Consent Calendar of November 7, 2023 with the correction as noted. Wyse seconded the motion, which **carried 3-0.**

7. Public Hearing

PH1 In the Matter of a Public Hearing Requesting an Exemption From Competitive Bidding for the New Benton County Emergency Operations Center (EOC) for the Use of the Construction Manager/General Contractor (CM/GC) Services of Contracting, Order #D2023-075 – Gary Stockhoff, Public Works

Chair Malone opened the Public Hearing at 11:02 a.m.

Staff Report

Stockhoff explained that a similar process was used in 2022 for the initial CM/GC and was set up to allow the same approach for other components of the Justice Systems Improvement Program. Hoffman Construction was selected as the contractor and has been great to work with. Stockhoff has met with Hoffman, Van Arsdall, and Emergency Manager Bryan Lee about the EOC, and hopes to have a contract by summer 2024.

Augerot asked if Corvallis had joined EOC discussions, since the City and County have a joint Emergency Operations Plan.

Stockhoff replied the City had not joined so far. Stockhoff to follow up with Lee and Van Arsdall.

Public Comment

No comment was offered.

Chair Malone closed the Public Hearing at 11:07 a.m.

MOTION: Augerot moved to approve the Findings of Fact for requesting an exemption from competitive bidding for the new Benton County Emergency Operations Center for the use of the Construction Manager/General Contractor (CM/GC) services of contracting, Order #D2023-075. Wyse seconded the motion, which **carried 3-0.**

8. Old Business

8.1 *Second Reading of the Amended Benton County Code (BCC), Chapter 9, Ordinance No. 2023-0321 – Tomi Douglas, Natural Areas, Parks, and Events

Counsel explained that the October 24, 2023 Public Hearing (PH) considered amendments to BCC Chapter 9; the Board approved the amendments, and Counsel conducted the first reading.

Augerot expressed frustration that the County did not acknowledge or notify Merems that the first reading would be held early and at the Information Sharing Meeting, where formal business is not usually conducted. Thus Merems was unable to participate in the first PH. Augerot would like to consider the minor corrections recommended on page two of Merems's to the Board (Exhibit 1). The current amendment contains a major loophole with the exemption for rodeo and Future Farmers of America (FFA) exhibits and events. As now written, a rodeo or FFA event could be held anywhere in the County and include a side show of exotic animals. Merems's suggestion that the exemption apply only to livestock and domestic animals would close that loophole, which Augerot would prefer. Augerot asked Counsel if the amendment could be delayed to address these items.

Counsel replied that if the Board decided to alter the Chapter 9 amendments, a second reading would not be conducted and the current Ordinance would die. The County could then start over, advertising a first PH to consider additional changes. Or the Board could enact this Ordinance and conduct the second reading today, then make other amendments later. The former allows more time for comment. The main objective of the current Ordinance was to change animal Latin names to English.

Augerot preferred the first option, letting the current Ordinance die and later making all changes at the same time.

Wyse commented that the intent of including the FFA and Rodeo exemptions was to reassure the Fair Board and remove confusion. Wyse did not feel that anyone was waiting to jump on the exemption. FFA's rare breeds include llamas, alpacas, and rare poultry breeds, not wild animals. Wyse preferred to leave those exemptions in the Ordinance.

Augerot agreed that there was no nefarious intent about the exemption, but the industry that conducts small traveling animal-based circuses may be less scrupulous than local community members. If someone hosted a rodeo on private property and also hosted one of those circuses, that would fall under the rodeo exemption. Augerot was unsure if Benton County is a big enough market for presenters to come and take advantage, but there is a loophole. Or the Board could approve the Ordinance as is and see if problems emerge, but Augerot preferred to add the suggested sentence which states that the exemption applies to activities using livestock and domestic animals only.

Wyse was willing to add that sentence to the current Ordinance.

Malone preferred to enact the current Ordinance, which is better than extant code. If actual problems occur, the Board can make amendments later.

Responding to a question from Wyse, Counsel confirmed that the Board could not amend the current Ordinance today.

Wyse was willing to move forward today.

Counsel noted that the Ordinance was not in the meeting packet; thus, the Ordinance could not move forward.

Augerot requested that the Board consider amending Ordinance #2023-0321 per the Merems email (Exhibit 1): delete unnecessary explanations in BCC 9.805 sections (4)(c) and (4)(m), delete ‘assistance animals’ from BCC 9.810 (2)(b), and, in the same paragraph, remove the possible loophole for exotic animal acts at rodeo or FFA events after discussion with NAPE staff and the Fair Board.

After deliberation, the Board decided to restart the Ordinance process to consider the suggested changes in consultation with NAPE staff and the Fair Board. Staff to bring back a revised Ordinance in December 2023 at earliest.

Ordinance #2023-0321 died; no action taken.

9. New Business

9.1 Approval of NaturalPoint Enterprise Tax Zone (ETZ) Abatement Request, Resolution No. R2023-026 – Christopher Jacobs, Corvallis-Benton Economic Development Office

Jacobs explained that in October 2023, the Corvallis City Council approved NaturalPoint’s ETZ application, followed by additional approval from the Enterprise Zone Advisory Committee (EZAC). NaturalPoint is an electronics manufacturer with about 60 employees. The applicant meets all non-statutory requirements. To qualify for the three-year tax abatement, NaturalPoint selected the following sustainability initiatives: reduce energy use and waste per unit of production, encourage bicycle riding to work and implement dedicated charging stations, encourage and engage suppliers to meet Enterprise Zone (EZ) sustainability goals, and design for efficient manufacturing and assembly. The company routinely conducts sustainability audits. The EZ was created to encourage investment and expansion in the shared borders of the City and Benton County, incentivizing developers or new businesses to make new investments. Taxable value of the new construction will be calculated by the County assessor; after three years, the recipient starts paying on the additional taxable value of the new construction.

MOTION: Augerot moved to approve a three-year property tax abatement agreement between Benton County, a co-sponsor of the Benton-Corvallis Enterprise Zone, and NaturalPoint Incorporated, #R2023-026. Wyse seconded the motion, which **carried 3-0.**

10. Other

Wyse announced that the annual Veterans Day pie-eating contest will be held in south Corvallis. Commissioners from five counties will compete, with Wyse representing Benton County.

11. Executive Session Under ORS 192.660[2][i] – Performance Review

This item was removed from the agenda.

12. Adjournment

Chair Malone adjourned the meeting at 11:xx a.m.

Pat Malone, Chair

Erika Milo, Recorder

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

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

**In the Matter of Reappointment to the)
BUDGET COMMITTEE)**

ORDER #D2023-094

THE ABOVE ENTITLED MATTER COMING NOW FOR THE CONSIDERATION
OF THE BOARD AND,

IT APPEARING TO THE BOARD

THAT the following qualified and knowledgeable individual has indicated a willingness
to serve on this board:

<u>Name</u>	<u>Term & Position</u>
Elizabeth Irish	Appointed: 12/19/23 Beginning: 01/01/24 Expires: 12/31/27 Position: 2

NOW, THEREFORE, IT IS HEREBY ORDERED that the above individual is hereby
appointed to the Budget Committee.

Adopted this 19th day of December, 2023.

Signed this 19th day of December, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner

**BENTON COUNTY
BUDGET COMMITTEE (BC)**

<u>POSITION</u>	<u>NAME</u>	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
1	Curtis Wright	Begin: 01/01/21 Expire: 12/31/24	2 nd Term	09/06/16 10/06/20 reappt'd
2	Elizabeth Irish	Begin: 01/01/24 Expire: 12/31/27 7	1 st Term	04/18/23 12/19/23 reappt'd
3	Chas Jones	Begin: 01/01/23 Expire: 12/31/26	1 st Term	02/16/21 12/20/22 reappt'd

STAFF: Rick Crager, Chief Financial Officer: 541-766-6767

RECORDER: Jennifer Ambuehl – 541-766-6257

TERM LIMIT: 4 years (*previously 3*), January 1 – December 31, staggered terms. Bylaws were amended: beginning date was changed from September 1 to January 1 (Bylaws 05/26/20).

MEMBERS: Six members: the three Board of Commissioners plus three appointees who shall be electors and shall not be officers, agents or employees of Benton County

MEETINGS: Irregular Times

- 3 citizen appointments to four-year staggered terms
- Citizens must be electors of the county
- Cannot be employed by the county
- Board of Commissioner recruited
- Appointment ends December 31

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

**In the Matter of Reappointments to the)
ENVIRONMENT and NATURAL) ORDER #D2023-095
RESOURCES ADVISORY COMMITTEE)**

THE ABOVE-ENTITLED MATTER COMING NOW FOR THE CONSIDERATION
OF THE BOARD AND,

IT APPEARING TO THE BOARD

WHEREAS, Positions number 4 and 5 should have been reappointed for the term
beginning January 1, 2023 and expiring December 31, 2025 and is hereby retroactive.

THAT the following qualified and knowledgeable individuals have indicated a
willingness to serve on this committee:

<u>Name</u>	<u>Appointed & Position</u>	<u>Name</u>	<u>Appointed & Position</u>
Deb Merchant	Appointed: 12/19/23 Begins: 01/01/23 Expires: 12/31/25 Position: 4	Jason Schindler	Appointed: 12/19/23 Begins: 01/01/24 Expires: 12/31/26 Position: 8
Chris Andersen	Appointed: 12/19/23 Begins: 01/01/23 Expires: 12/31/25 Position: 5	Mike Hughes	Appointed: 12/19/23 Begins: 01/01/24 Expires: 12/31/26 Position: 9
Robert Swan	Appointed: 12/19/23 Begins: 01/01/24 Expires: 12/31/26 Position: 7		

NOW, THEREFORE, IT IS HEREBY ORDERED that the above individuals are hereby
appointed to the Environment and Natural Resources Advisory Committee.

Adopted this 19th day of December, 2023.

Signed this 19th day of December, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner

Page 16 of 97
BENTON COUNTY
ENVIRONMENT and NATURAL RESOURCES ADVISORY COMMITTEE
(ENRAC)

<u>POSITION</u>	<u>NAME</u>	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
1	VACANT	Begin: 01/01/22 Expire: 12/31/24	1st Term	12/22/20 12/21/21 reappt'd
2	Kanchan Ojha	Begin: 01/01/22 Expire: 12/31/24	Partial Term	05/02/23
3	Larry O'Keefe	Begin: 01/01/22 Expire: 12/31/24	Partial Term	12/22/22
4	Deb Merchant	Begin: 01/01/23 Expire: 12/31/25	1 st Term	12/22/20 12/19/23 reappt'd
5	Chris Andersen	Begin: 01/01/23 Expire: 12/31/25	1 st Term	07/19/22 12/19/23 reappt'd
6	Milt Roselinsky	Begin: 01/01/23 Expire: 12/31/25	Partial Term	06/06/23
7	Robert Swan	Begin: 01/01/24 Expire: 12/31/26	1 st Term	08/15/23 12/19/23 reappt'd
8	Jason Schindler	Begin: 01/01/24 Expire: 12/31/26	2 nd Term	12/22/20 12/19/23 reappt'd
9	Mike Hughes	Begin: 01/01/24 Expire: 12/31/26	1 st Term	08/15/23 12/19/23 reappt'd

STAFF: Contact: Sean McGuire, 541-766-0152

RECORDER:

TERMS: 3 years; January 1 – December 31

MEMBERS: 9 members, Benton County residents

MEETS: Meets 2nd Wednesday of each month, 4:00 – 5:30 p.m.

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

**In the Matter of Reappointment to the) ORDER No. D2023-096
BENTON COUNTY FAIR BOARD)**

THE ABOVE ENTITLED MATTER COMING NOW FOR THE CONSIDERATION
OF THE BOARD AND,

IT APPEARING TO THE BOARD

THAT the following qualified and knowledgeable individual has indicated a willingness
to serve on this board:

<u>Name</u>	<u>Appointed & Position</u>
Rick Freeman	Appointed: 12/19/23 Begins: 01/01/24 Expires: 12/31/26 Position: 6

NOW, THEREFORE, IT IS HEREBY ORDERED that the above individual is hereby
appointed to the Benton County Fair Board.

Adopted this 19th of December, 2023.

Signed this 19th of December, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner

**BENTON COUNTY
FAIR BOARD**

<u>POSITION</u>	<u>NAME</u>	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
1	Kristi Schrock	Begin: 01/01/22 Expire: 12/31/24	1 st Term	12/21/21
2	Trudy Overlin	Begin: 01/01/22 Expire: 12/31/24	2 nd Term	04/19/16 01/15/19 reappt'd 01/04/22 reappt'd
3	Aurora Jensen	Begin: 01/01/22 Expire: 12/31/24	Partial Term	04/05/22
4	VACANT (Darrell Oakes)	Begin: 01/01/21 Expire: 12/31/23	2 nd Term	01/02/18 12/22/20 reappt'd
5	Rick Freeman	Begin: 01/01/24 Expire: 12/31/26	1 st Term	06/15/21 12/19/23 reappt'd
6	Zel Brook	Begin: 01/01/22 Expire: 12/31/24	Partial Term	07/19/22
7	Craig Hendrickson	Begin: 01/01/21 Expire: 12/31/23	Partial Term	06/15/21
4-H Ex-officio	Chloe Hendrickson			Not Appointed Not Appointed

STAFF: Tomi Douglas, Fairgrounds Manager – 541-766-6090
RECORDER: Elizabeth Gustin, Fairgrounds – 541-766-6088
TERM LIMIT: Three years, January 1 – December 31
MEMBERS: Seven members, Benton County residents
MEETS: Third Monday of the month, Fairgrounds, 6 pm. 541-766-6521
 No Meeting in August

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

**In the Matter of Appointment to the) ORDER #D2023-097
NATURAL AREAS and PARKS)
ADVISORY BOARD)**

THE ABOVE-ENTITLED MATTER COMING NOW FOR THE CONSIDERATION
OF THE BOARD AND,

IT APPEARING TO THE BOARD

THAT the following qualified and knowledgeable individual has indicated a willingness
to serve on this board:

<u>Name</u>	<u>Appointed & Position</u>
Duncan Rothe	Appointed: 12/19/23 Begins: 07/01/23 Expires: 06/30/25 Position: Student

NOW, THEREFORE, IT IS HEREBY ORDERED that the above individual is hereby
appointed to the Natural Areas and Parks Advisory Board.

Adopted this 19th day of December, 2023.

Signed this 19th day of December, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner

Page 20 of 97
BENTON COUNTY
NATURAL AREAS AND PARKS ADVISORY BOARD
(NAPB)

<u>POSITION</u>	<u>NAME</u>	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
1	Carol Walsh	Begin: 07/01/20 Expire: 06/30/24	Partial Term	02/01/22
2	Bryce Downey	Begin: 07/01/20 Expire: 06/30/24	Partial Term	09/07/21
3	Kevin Chambers	Begin: 07/01/22 Expire: 06/30/26	1 st Term	06/07/22
4	Elizabeth Spatafora	Begin: 07/01/22 Expire: 06/30/26	1 st Term	07/06/21 07/05/22 reappt'd
5	John Turner	Begin: 07/01/22 Expire: 06/30/26	1 st Term	07/05/22
6 Chair	David Smith	Begin: 07/01/22 Expire: 06/30/26	1 st Term	07/03/18 07/05/22 reappt'd
7	Ben Watts	Begin: 07/01/23 Expire: 06/30/27	1 st Term	08/15/23
8	Miles Phillips	Begin: 07/01/23 Expire: 06/30/27	1 st Term	08/15/23
9	Phillip Hays	Begin: 07/01/20 Expire: 06/30/24	Partial Term	02/01/22
Student	Duncan Rothe	Begin: 07/01/23 Expire: 06/30/25	Partial Term	12/19/23

STAFF: Jesse Ott 541-766-6002; Tomi Douglas 541-766-6090;
Adam Stebbins 541-766-6085

RECORDER: **Contact— Leanna Buck**, Parks 541-766-6025

TERM LIMIT: ~~3~~ years, 4 years (as of 12/20/20) July 1 – June 30

MEMBERS: 9 members

MEETINGS: 2nd Wednesday of each month, 6:00 pm, meetings currently being held virtually (contact Leanna for link)

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

**In the Matter of Appointment to the) ORDER No. D2023-098
BENTON COUNTY PLANNING COMMISSION)**

THE ABOVE-ENTITLED MATTER COMING NOW FOR THE CONSIDERATION
OF THE BOARD AND,

IT APPEARING TO THE BOARD

THAT the following qualified and knowledgeable individual has indicated a willingness
to serve on this committee:

<u>Name</u>	<u>Appointed & Position</u>
Sara Cash	Appointed: 12/19/23 Begins: 01/01/22 Expires: 12/31/25 Position: 4

NOW, THEREFORE, IT IS HEREBY ORDERED that the above individual is hereby
appointed to the Benton County Planning Commission.

Adopted this 19th day of December, 2023.

Signed this 19th day of December, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner

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

**In the Matter of Reappointments to the) ORDER No. D2023-099
BENTON COUNTY PLANNING COMMISSION)**

THE ABOVE-ENTITLED MATTER COMING NOW FOR THE CONSIDERATION
OF THE BOARD AND,

IT APPEARING TO THE BOARD

THAT the following qualified and knowledgeable individual have indicated a willingness
to serve on this committee:

<u>Name</u>	<u>Appointed & Position</u>
Evelyn Lee	Appointed: 12/19/23 Begins: 01/01/24 Expires: 12/31/27 Position: 2
Elizabeth Irish	Appointed: 12/19/23 Begins: 01/01/24 Expires: 12/31/27 Position: 5
Ed Fulford	Appointed: 12/19/23 Begins: 01/01/24 Expires: 12/31/27 Position: 6
Nick Fowler	Appointed: 12/19/23 Begins: 01/01/24 Expires: 12/31/27 Position: 8

NOW, THEREFORE, IT IS HEREBY ORDERED that the above individuals are hereby
reappointed to the Benton County Planning Commission.

Adopted this 19th day of December, 2023.

Signed this 19th day of December, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner

**BENTON COUNTY
PLANNING COMMISSION**

<u>POSITION</u>	<u>NAME</u>	<u>TERM PERIOD</u>	<u>TERM SERVING</u>	<u>DATE APPOINTED</u>
1	John Wilson	Begin: 01/01/22 Expire: 12/31/25	Partial Term	08/15/23
2	Evelyn Lee	Begin: 01/01/24 Expire: 12/31/27	1 st Term	08/04/20 12/19/23 reappt'd
3	Andrew Struthers	Begin: 01/01/23 Expire: 12/31/26	1 st Term	12/20/22
4	Sara Cash	Begin: 01/01/23 Expire: 12/31/26	Partial Term	12/19/23
5	Elizabeth Irish	Begin: 01/01/24 Expire: 12/31/27	1 st Term	07/05/22 12/19/23 reappt'd
6	Ed Fulford	Begin: 01/01/24 Expire: 12/31/27	1 st Term	02/21/23 12/19/23 reappt'd
7	Catherine Biscoe	Begin: 01/01/23 Expire: 12/31/26	1 st Term	12/20/22
8	Nicholas Fowler	Begin: 01/01/24 Expire: 12/31/27	3 rd Term	12/15/15 12/17/19 reappt'd 12/19/23 reappt'd
9	Greg Hamann	Begin: 01/01/22 Expire: 12/31/25	Partial Term	12/20/22

STAFF:

Darren Nichols, Community Development Director - darren.nichols@co.benton.or.us; 541-766-6823

RECORDER:

Linda Ray – 541-766-0250

TERM LIMIT:

4-year terms. Replace open positions with people from same geographical location.

MEMBERS:

9 members, only two can sell real estate, no more than two can share the same business or profession. They shall be residents of various geographical locations in the county.

MEETINGS:

Twice a month, 1st and 3rd Tuesday, 7:30 p.m., virtually

PUBLIC HEARINGS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 12/05/23 and Public Hearing 12/19/23

View [Agenda Tracker](#)

Suggested Placement * Work Session and Meeting

Department * Finance

Contact Name * Rick Crager

Phone Extension * 6246

Meeting Attendee Name * Rick Crager & Jenn Ambuehl

Agenda Item Details

Item Title * Supplemental Budget 240601

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

Advertisement*

Yes

No

Names/Dates of Publications

List each publication name and date

Intend to publish notice of public hearing on December 19th no less than 5 day prior to meeting in paper of record.

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

Seven funds require amendment of the 2023-25 adopted budget. Of these, six funds have received or are anticipated to receive funds that were not estimated at the time of budget adoption. While all actions may not trigger the public hearing requirement, Financial Services is placing all items under the public hearing for both ease and transparency.

General Fund:

Benton County Sheriff's Office received a grant from the Oregon Department of Emergency Management for the FY 2023 State Homeland Security Grant Program. The Sheriff's Office applies for this grant annually however does not know the award amount until after the budget is adopted. This grant will start on October 1, 2023, with an ending date of September 30, 2025, and will be used to purchase approximately seven Triband Portable Radios, and to conduct regional Incident Management Teams (IMT) and Emergency Operations Center (EOC) training. Request to increase appropriation authority by approximately \$113k.

Additional housekeeping items based off Board of Commissioners decisions regarding use of the \$3 million capital improvement contribution. Result is a decrease in transfers to other funds and corresponding increase to contingency.

ARPA Fund:

Revenue received from Corvallis Rural Fire District, in the amount of \$110k, for Evacuation routes and beginning balance higher than anticipated at time of budget adoption. As a result of additional revenue, increase appropriation authority to cover Cardwell Hill evacuation route and additional route planning around the County.

New revenue anticipated from Oregon Health Authority (OHA) and InterCommunity Health Network (IHN) to cover the costs of soil mitigation at the Crisis Center site, that was not anticipated at time of budget adoption. Increase appropriation authority for Capital Outlay on the Crisis Center by approximately \$1.4 million and reduce Contingency by a little more than \$205k

Benton County Board of Commissioners decided to utilize 2.5 million of American Rescue Act funding for the Emergency Operations Center project. Realign appropriation authority to reflect a transfer to Fund 303, of approximately \$4.4 million, where project expenditures are housed.

Special Grant Fund:

Benton County was awarded funding from OHCS to support efforts to reduce homelessness. These funds will be used to accomplish the following objectives in the county. Rapidly rehouse 31 unsheltered households and increase shelter capacity, quality, and utilization in the county by 50 beds. Request to increase appropriation by approximately \$2.4 million in Materials & Services.

Building Development Reserve Fund:

The 2023-25 Adopted Budget for Fund 303 is proposed to be increased by \$10.1 million to ensure alignment with forecasted revenues and expenses for the biennium. The primary contributor to the budget increase is approximately \$15.6 million for the Courthouse Project. This increase was caused from slow start up time that resulted in much less spending in 2021-23 and increased cost brought on by cost escalation and an updated design that needs to be rolled forward into 23-25. This budget increase is supported with higher than anticipated project beginning balance from both the state and county; increased interest earnings on bond proceeds; the shift of County CIP and ARPA resources to support the project; and an increase of \$3.8 million in estimated state resources approved by

the 2023 Legislature.

In addition to the Courthouse Project, the budget for the Emergency Operation Center was increased by \$3.5 million. This increase was the result of the 2023 Legislature approving \$1.0 million more (\$5.0 million total) than was estimated in the 23-25 adopted budget. The approval and unanticipated increase by the State was followed by the Board of Commissioners, at their September 2023 meeting, approving a \$2.5 million increase to the Emergency Operation Center (EOC) Project. The source of this budget increase is ARPA Funds which are reprogrammed from previous anticipated uses. Both the state and county actions combined with previously secured and budgeted funds have resulted in a fully funded budget of \$8.8 million for the EOC.

Offsetting the increase to the Courthouse and Emergency Operations Center Projects was a decrease of \$9.0 million for a state legislative request made by County for a new homelessness navigation center which was not approved.

Intragovernmental Services Fund:

No additional revenue has been received, however requesting to move approximately \$905k from Contingency to Capital Outlay to cover the backlog of County vehicles ordered in the prior biennium that will be delivered in 23-25.

Enterprise Operations Fund:

Increase revenue from External customers to account for unanticipated funding at time of budget adoption. Increase appropriation authority approximately \$2.6 million in Capital Outlay to cover the backlog of External vehicles ordered in the prior biennium that will be delivered in 23-25.

Trust Fund:

Increase revenue for timber harvest within Beazell Memorial Forest not anticipated at budget adoption. Increase appropriation authority by \$210k for new parking area, heating system and flooring for Education Center, general maintenance, and mold remediation on Homestead, and \$265k to Contingency.

Additionally, revenue has been received for the Sheriff's Office Federal Equitable Sharing program. Program rules do not allow for budget to be created prior to the funds being received by the County. The County received, in September 2023, equitable sharing funds in the amount of approximately \$16k. In addition to these funds, the beginning balance was higher than anticipated by not quite \$3k. Request to increase program appropriations by approximately \$19k in Materials & Services.

Options *

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

Fiscal Impact *

- Yes
- No

Fiscal Impact Description *

The combination of these actions increase total 2023-25 appropriations by \$17,433,515.

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 Mandated Service

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 *** N/A Mandated Service

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations * Financial Services staff recommends forwarding this item to December 19th for Public Hearing and Adoption.

Financial Services staff recommends adopting Supplemental Budget 24061 as presented.

Work Session Motions * I move to ... forward this item to December 19, 2023 board meeting for public hearing.

Meeting Motions * I move to ... adopt Resolution R2023-024 in the matter of Supplemental Budget 24061.

Meeting Motion

I move to adopt Resolution R2023-024 in the matter of Supplemental Budget 24061.

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.

Fund Summary Adopted w. Supplementals 240601.pdf	83.77KB
Appropriations by Department Adopted w. Supplementals 240601.pdf	85.59KB
Resolution Supplemental Budget - 240601.docx	20.6KB

Comments (optional)

CFO Crager will be sending a power point presentation to go along with this information.

If you have any questions, please call ext.6800

**Department
Approver**

RICHARD CRAGER

1.

Department Approval

Comments

Signature

Rick Crager

2.

Counsel Approval

Comments

Signature

Vance H. Chokey

3.

County Administrator Approval

Comments

Signature

Rachel L McEneny

4.

BOC Final Approval

Comments

Signature

Aranda Makepeace

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

**In the Matter of Supplemental)
Number 240601 Amending) RESOLUTION R2023-024
the 2023-25 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 2023-25 biennial budget are adjusted as listed below:

In the General Fund (001):

Public Safety (15) Operations is increased \$113,119
Transfers is decreased \$423,912
Contingency is increased \$423,912

American Rescue Plan Fund (107):

General Government (10) Operations is decreased \$2,613,145
Transfers is increased \$4,431,017
Contingency is decreased \$205,711

Special Grant Fund (114):

Health (25) Operations is increased \$2,441,683

Building Development Reserve Fund (303):

Capital Improvements (65) Operations is increased \$16,059,957
Contingency is decreased \$629,917
Reserves is decreased \$5,285,888

IntraGovernmental Services Fund (514):

General Government (10) Operations is increased \$905,295
Contingency is decreased \$905,295

Enterprise Operations Fund (520):

General Government (10) Operations is increased \$2,628,038

Trust Fund (805):

Public Safety (15) Operations is increased \$19,364

Trust (45) Operations is increased \$210,000

Contingency is increased \$265,000

Adopted this 5th day of December, 2023.

Signed this 5th day of December, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner

**2023-25 Appropriations
by Department**

Department	2017-19 ACTUAL	2019-21 ACTUAL	2021-23 ADOPTED BUDGET	2023-2025 TOTAL ADOPTED BUDGET	2023-2025 SUPPLEMENTAL BUDGET 240601	2023-2025 TOTAL REVISED BUDGET
Board of Commissioners	\$ 2,704,330.17	\$ 4,945,271.91	\$ 6,125,916.00	\$ 6,908,837.00	\$ -	\$ 6,908,837.00
Community Development	\$ 3,904,384.92	\$ 4,475,455.70	\$ 6,362,442.00	\$ 7,784,891.00	\$ -	\$ 7,784,891.00
Assessment	\$ 3,274,566.07	\$ 4,065,913.18	\$ 4,775,612.00	\$ 6,541,302.00	\$ -	\$ 6,541,302.00
District Attorney	\$ 5,439,655.43	\$ 6,629,715.62	\$ 9,317,214.00	\$ 9,698,539.00	\$ -	\$ 9,698,539.00
Juvenile	\$ 4,089,621.03	\$ 4,474,516.61	\$ 5,048,152.00	\$ 5,761,189.00	\$ -	\$ 5,761,189.00
Law Enforcement	\$ 34,310,365.53	\$ 36,036,616.90	\$ 41,836,851.00	\$ 47,471,550.00	\$ 132,483.00	\$ 47,604,033.00
Records & Elections	\$ 2,322,978.36	\$ 2,425,067.60	\$ 2,865,295.00	\$ 3,308,324.00	\$ -	\$ 3,308,324.00
Health Department	\$ 34,270,495.70	\$ 28,247,927.15	\$ 42,493,516.00	\$ 48,295,812.00	\$ 2,441,683.00	\$ 50,737,495.00
Public Works	\$ 31,563,126.25	\$ 42,785,696.81	\$ 70,265,873.00	\$ 71,147,679.00	\$ 2,628,036.00	\$ 73,775,715.00
Natural Areas Parks & Events	\$ 5,347,322.58	\$ 6,227,802.70	\$ 9,999,822.00	\$ 10,277,026.00	\$ 475,000.00	\$ 10,752,026.00
Non Departmental	\$ 13,078,568.23	\$ 28,332,329.21	\$ 93,675,816.00	\$ 133,717,444.00	\$ 11,756,313.00	\$ 145,473,757.00
Human Resources	\$ 1,850,414.98	\$ 2,285,729.46	\$ 2,906,507.00	\$ 4,180,021.00	\$ -	\$ 4,180,021.00
Financial Services	\$ 17,380,330.18	\$ 25,986,742.65	\$ 39,130,976.00	\$ 48,328,894.00	\$ -	\$ 48,328,894.00
County Counsel	\$ 723,244.24	\$ 758,744.28	\$ 883,896.00	\$ 908,123.00	\$ -	\$ 908,123.00
Information Technology	\$ 6,872,979.61	\$ 7,322,201.42	\$ 9,531,177.00	\$ 12,005,964.00	\$ -	\$ 12,005,964.00
Health Centers	\$ 50,563,403.58	\$ 51,939,121.66	\$ 66,595,609.00	\$ 69,540,765.00	\$ -	\$ 69,540,765.00
TOTAL	\$ 217,695,786.86	\$ 256,938,852.86	\$ 411,814,674.00	\$ 485,876,360.00	\$ 17,433,515.00	\$ 503,309,875.00

**2023-25 Appropriations
by Fund**

FUND	2017-19 ACTUAL	2019-21 ACTUAL	2021-23 ADOPTED BUDGET	2023-2025 TOTAL ADOPTED BUDGET	2023-2025 SUPPLEMENTAL BUDGET 240601	2023-2025 TOTAL ADOPTED BUDGET
001 - GENERAL	\$ 80,199,635.00	\$ 96,108,894.45	\$ 132,733,176.00	\$ 146,564,540.00	\$ 113,119.00	\$ 146,677,659.00
102 - ROAD	13,744,977.00	14,866,338.29	25,113,952.00	33,305,648.00	-	\$ 33,305,648.00
103 - COUNTY SCHOOL	706,788.00	505,866.19	844,100.00	593,000.00	-	\$ 593,000.00
106 - FAIR	2,576,266.00	2,121,455.85	3,342,598.00	4,075,109.00	-	\$ 4,075,109.00
107 - ARPA	-	-	27,097,058.00	15,347,286.00	1,612,161.00	\$ 16,959,447.00
108 - LOL	13,661,831.00	19,581,692.20	21,582,024.00	21,402,971.00	-	\$ 21,402,971.00
110 - LAND CORNER	168,032.00	233,873.17	436,150.00	466,200.00	-	\$ 466,200.00
114 - SPECIAL GRANT	27,358.00	244,006.95	1,534,000.00	1,233,000.00	2,441,683.00	\$ 3,674,683.00
118 - OREGON HEALTH PLAN	4,356,760.00	125,576.57	720,000.00	-	-	\$ -
119 - COURT SECURITY	121,509.00	125,043.88	136,347.00	94,295.00	-	\$ 94,295.00
120 - TITLE III	2,316.00	856.08	19,125.00	18,652.00	-	\$ 18,652.00
126 - SPECIAL TRANSPORTATION	3,161,141.00	5,579,115.90	11,674,927.00	12,076,559.00	-	\$ 12,076,559.00
128 - CEMETARY OPS	33,186.00	30,414.97	68,040.00	64,000.00	-	\$ 64,000.00
215 - DEBT SERVICE	3,775,893.00	4,144,291.30	7,900,000.00	12,093,039.00	-	\$ 12,093,039.00
300 - GENERAL CAPITAL	954,948.00	986,019.47	3,042,269.00	3,042,269.00	-	\$ 3,042,269.00
303 - BUILDING DEVELOPMENT	10,086,504.00	622,331.07	23,016,462.00	75,585,722.00	10,144,152.00	\$ 85,729,874.00
510 - MANAGEMENT SVCS	8,947,447.00	10,621,196.48	13,181,984.00	19,599,939.00	-	\$ 19,599,939.00
511 - TREASURY MGMT	2,109,424.00	1,739,005.25	1,925,000.00	2,400,000.00	-	\$ 2,400,000.00
512 - EMPLOYEE BENEFIT TRUST	7,721,662.00	15,869,002.81	24,081,100.00	25,458,411.00	-	\$ 25,458,411.00
514 - INTRAGOVERNMENTAL SVCS	14,428,913.00	20,983,367.44	27,245,717.00	25,174,805.00	-	\$ 25,174,805.00
515 - HEALTH MANAGEMENT SVCS	7,619,990.00	7,288,461.91	8,894,308.00	9,311,825.00	-	\$ 9,311,825.00
520 - ENTERPRISE OPS	316,270.00	3,842,679.17	8,935,162.00	6,789,459.00	2,628,036.00	\$ 9,417,495.00
521 - BENTON HEALTH CENTER	35,879,565.00	43,463,195.64	57,542,751.00	61,271,138.00	-	\$ 61,271,138.00
522 - EAST LINN HEALTH CENTER	6,549,796.00	7,032,294.24	9,052,858.00	8,269,627.00	-	\$ 8,269,627.00
805 - TRUST	533,915.00	750,770.85	1,187,966.00	1,070,166.00	494,364.00	\$ 1,564,530.00
810 - TAX TITLE LAND	11,662.00	73,102.73	507,600.00	568,700.00	-	\$ 568,700.00
TOTAL	\$ 217,695,788.00	\$ 256,938,852.86	\$ 411,814,674.00	\$ 485,876,360.00	\$ 17,433,515.00	\$ 503,309,875.00

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 11/28/23

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Community Development

Contact Name * Daniel Redick

Phone Extension * 6014

Meeting Attendee Name * Daniel Redick, Darren Nichols, Julie Jackson
(Republic Services)

Agenda Item Details

Item Title * Solid Waste Collection: Annual Rate Increase Request, Order #D2023-092

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

Advertisement*

- Yes
 No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

Republic Services requests an annual rate increase of 4.8% for solid waste collection services in Benton County.

Prior collection service rate increases did not require Board action because Benton County Code chapter 23.510(9) authorizes Republic Services to unilaterally impose a refuse rate index-adjusted (inflationary) increase. That authority is granted by county code and operated under an order adopted by the Board of Commissioners in 2013. That order (attachment #2), explicitly states the Refuse Rate Index (RRI) expired with the then "current" franchise agreement.

Under the express terms of the order, the RRI expired on Dec. 31, 2020, when the county approved a new franchise agreement and thereby the prior agreement also expired. There is currently no Board approved RRI, meaning this rate request doesn't fall under the now expired 2013 order that allowed Republic Services to unilaterally implement the rate increase.

Benton County Code chapter 23.510(1)-(8) sets out a detailed process for Republic Services to establish a rate increase in the absence of a current Board order approving a Refuse Rate Index.

On October 9, 2023, Republic Services provided Benton County Attachment #1 (pages 1-2) requesting rate adjustments for 2024. On October 19, 2023, Benton County received the requested rate schedule (Attachment #1, pages 3-10).

The requested rate increase of 4.8% for solid waste collection services is equivalent to an average increase of \$1.89 per account per month. Benton County Code chapter 23.510 requires the franchise hauler to submit a rate schedule at least 90 days prior to the effective rate changes, and requires a public hearing and Board decision no less than 30 days before the effective date. The requested effective date of rate change is January 1, 2024, however, due to the timing of the rate schedule submission, the earliest effective date for rate changes would be January 15, 2024, depending on the date of the Board's decision.

The requested rates are structured in a way that the rate per gallon decreases as total volume of trash service increases for an individual account. Oregon Administrative Rule OAR 340-090-0040 (3) includes an Opportunity to Recycle program element option, in which rates per pound do not decrease with increased size or number of containers to provide waste reduction incentive. The Board may consider using this option to encourage waste reduction.

Options *

1. Accept the rate change as requested;
2. Propose changes to the requested rate schedule; or
3. Deny the rate change request.

Fiscal Impact *

- Yes
 No

Fiscal Impact Description *

The requested rate increase of 4.8% for solid waste collection services is equivalent to an average increase of \$1.89 per account per month (\$22.68 per account per year).

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.
Benton County has the primary responsibility for solid waste collection and management in the jurisdiction, and is required to provide the opportunity to recycle, as defined in ORS 459A.

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* Waste collection services help to prevent waste materials from entering the environment and natural spaces, which can impact the environment, public health, and community livability.

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* Recycling and organic material collection helps to efficiently and effectively recover materials that may otherwise be landfilled, conserving valuable material resources and reducing greenhouse gas impacts.

Item Recommendations and Motions

Staff Recommendations* Staff recommends that the Board request a revised rate schedule which includes a waste reduction incentive, with rates per pound that do not decrease with increased size or number of containers.

Meeting Motions* I move to ...
to approve the order setting a revised solid waste collection rate schedule submitted by Republic Services.

Staff Recommendation

Staff recommends that the Board request a revised rate schedule which includes a waste reduction incentive, with rates per pound that do not decrease with increased size or number of containers.

Meeting Motion

I move to approve Order #D2023-092, setting a revised solid waste collection rate schedule submitted by Republic Services.

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 1_2024 RRI Packet Benton	1.04MB
County_Complete - Copy.pdf	
Attachment 2_D2013-053 Approving Refuse Rate	166.55KB
Index - Copy.pdf	

Comments (optional) Community Development will draft and County Counsel will attach a draft Board order prior to the public hearing.

If you have any questions, please call ext.6800

**Department
Approver**

DARREN NICHOLS

<p>1. Dept Approval</p> <hr/> <p>Department Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	<p>5.</p> <hr/> <p>BOC Final Approval</p> <hr/> <p>Comments</p> <p>Signature </p>
<p>2.</p> <hr/> <p>Counsel Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>3.</p> <hr/> <p>Finance Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>4.</p> <hr/> <p>County Administrator Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	

**BEFORE THE BENTON COUNTY BOARD OF COMMISSIONS
FOR THE STATE OF OREGON**

In the Matter of Deciding Rates for)
Solid Waste Collection Franchise Services) **Order No. D2023-092**
Provided by Republic Services)

WHEREAS, on November 28, 2023, the Benton County Board of Commissioners held a public hearing to consider a request from Republic Services, Inc., for a rate change for solid waste collection in the unincorporated area of Benton County; and

WHEREAS, the public hearing was held pursuant to Benton County Code 23.510(1)-(8) and public testimony was received; and

WHEREAS, Republic Services, Inc., the solid waste collection franchisee for unincorporated Benton County, submitted a request for a rate increase on October 19, 2023 based on a Refuse Rate Index adjustment factor, which was calculated using the Consumer Price Index and disposal costs; and

WHEREAS, the Board of Commissioners having considered the application, testimony, and staff report,

HEREBY ORDERS that the Republic Services solid waste collection service revised rate schedule submitted on Oct. 19, 2023, and as shown in Attachment A, be approved as of January 15, 2024.

Adopted this 28th day of November, 2023.

Signed this 28th day of November, 2023.

**BENTON COUNTY BOARD OF
COMMISSIONERS**

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner

Approved as to Form:

County Counsel



October 3, 2023

Benton County Commissioners
Benton County Staff

This report provides information necessary to calculate the annual Refuse Rate Index (RRI) effective January 1, 2023. This calculation is based on the Consumer Price Index and disposal costs. Based on these factors, the calculated adjustment for January 1, 2024, is 4.8% or an average of \$1.89 per month.

Republic Services - Benton County RRI

	Index: June 30, 2022	Index: June 30, 2023	% Change	Weight	Refuse Index
CPI - West Size Class B/C All Urban Consumers	178.52	187.354	4.9%	75%	3.7%
Coffin Butte Benton County Disposal Rate	\$ 37.86	\$ 39.00	3.0%	17%	0.5%
PRC Disposal Rate for RS of Corvallis	\$ 55.00	\$ 59.00	7.3%	8%	0.6%
				Rate Adjustment %	4.8%
					100.0%
				Adjustment Factor	104.8%

We continue to stay at the forefront on Oregon's Recycling Modernization Act (RMA) and are beginning to talk with representatives from Producer Responsibility Organizations (PRO's) to understand how this legislation will change and improve recycling in Oregon. A statewide list of curbside recyclables is nearly complete and we will work to include more materials at local depots in 2025.

In addition, Republic Services is committed to electrifying our fleet as quickly as possible and is working with major truck manufacturers to help develop the best EV's in class.

We appreciate your comments and suggestions as you review this document. Feel free to contact us with questions or to receive a digital copy of the Republic Services 2021 Sustainability Report.

Best Regards,

Julie Jackson

Bret Davis

A handwritten signature in blue ink that reads "Julie Jackson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Municipal Relations Manager
Republic Services
541-936-3314
jjackson6@republicservices.com

General Manager
Republic Services
541-286-3311
b.davis@republicservices.com

New Service Increase Rates Effective 1/1/2024 Benton County 4450	
Residential Rate:	4.80%
Commercial Rate:	4.80%
Industrial Rate:	4.80%

RESIDENTIAL SERVICE RATES:				
Residential Roll Cart	Current Monthly	Current Bi-Monthly	New Monthly	New Bi-monthly
1 Can (hand pickup)	\$30.88	\$61.76	\$32.36	\$64.72
Add can	\$20.23	\$40.46	\$21.20	\$42.40
20q	\$23.14	\$46.28	\$24.25	\$48.50
32q	\$24.70	\$49.40	\$25.89	\$51.77
32q on-call (per pickup)	\$16.62	N/A	\$17.42	\$34.84
65q	N/A	N/A	N/A	N/A
90q	\$30.62	\$79.24	\$41.52	\$83.04
YC,CO,RC Only	\$10.42	\$20.84	\$10.92	\$21.84
Extra YC, CO, RC	\$10.42	\$20.84	\$10.92	\$21.84
Enclosure	\$28.41	\$56.82	\$29.77	\$59.55
Up the drive	\$21.31	\$42.62	\$22.33	\$44.67

Misc. Charges and Limited Services	Current Rate	New Rate
APP-Appliance Without Freon	\$40.19	\$42.12
APN-Appliance With Freon	\$51.83	\$54.32
FUR-Furniture	\$41.48	\$43.47
BU 1 - Dead large animal	\$137.07	\$143.65
MAT - Mattress or Boxspring	\$40.19	\$42.12
Christmas Tree (Up to 8ft, no flocking/tinsel)	\$11.36	\$11.91
EXB-Extra 32 gal can/bag/box/heavy	\$11.36	\$11.91
TIR-Tires w/o rim	\$17.08	\$17.90
BU3-Tires with rim	\$25.53	\$26.76
Truck Tires-ADTB	\$36.88	\$38.65
Truck Tires with rim-ADTB	\$52.51	\$55.03
Return Trip (In Area-On Service Day)	\$29.78	\$31.21
Residential Extra Pickup	\$60.15	\$63.04
Residential Container Exchange (one time per year no charge)	\$48.12	\$50.43
Locking Cart Set Up	\$32.59	\$34.15
Residential Delivery - Per Cart	\$10.00	\$10.00

COMMERCIAL SERVICE RATES:				
Temporary Commercial	DUMP		New Rate	
Container Size	DUMP	RENT	DUMP	MAX RENT
3yd	\$ 107.90	\$ 42.35	\$113.08	\$44.38
Prepayment	\$107.90		\$113.08	
NO SOD, DIRT, SHEETROCK, CONCRETE, ROOFING.				

Commercial Front Load - Automatic	Weekly Collection Frequency (# Collections Per Week)					New Rate						
Container Size	1	2	3	4	5	EXT	1	2	3	4	5	EXT
1.5 yd	\$159.52	\$294.79	\$43.93	\$565.05	\$700.43	\$49.52	\$167.18	\$308.94	\$450.57	\$592.17	\$734.05	\$51.90
2 yd	\$198.99	\$368.01	\$53.04	\$706.07	\$874.81	\$59.54	\$208.54	\$385.67	\$562.82	\$739.96	\$916.80	\$62.40
3 yd	\$239.78	\$445.03	\$65.17	\$855.25	\$1,060.52	\$74.14	\$251.29	\$466.39	\$681.38	\$896.30	\$1,111.42	\$77.70
4 yd	\$304.27	\$567.53	\$83.04	\$1,063.12	\$1,356.97	\$93.18	\$318.87	\$594.77	\$870.34	\$1,114.15	\$1,422.10	\$97.65
6 yd	\$430.30	\$810.96	\$1,190.57	\$1,571.88	\$1,953.31	\$133.82	\$450.95	\$849.89	\$1,247.72	\$1,647.33	\$2,047.07	\$140.24
8 yd	\$560.24	\$1,064.10	\$1,568.61	\$2,072.53	\$2,576.87	\$173.33	\$587.13	\$1,115.18	\$1,643.90	\$2,172.01	\$2,700.56	\$181.65

Commercial Front Load - Manual	Weekly Collection Frequency (# Collections Per Week)					New Rate								
Container Size	1	2	3	4	5	ON CALL / EXT	RENT	1	2	3	4	5	ON CALL / EXT	RENT
1.5 yd	\$177.61	\$336.74	\$495.85	\$655.10	\$814.35	\$49.52	\$36.11	\$186.14	\$352.90	\$519.65	\$686.54	\$853.44	\$51.90	\$37.84
2 yd	\$219.74	\$418.58	\$617.29	\$816.05	\$1,014.63	\$59.54	\$39.23	\$230.29	\$438.67	\$646.92	\$855.22	\$1,063.33	\$62.40	\$41.11
3 yd	\$273.03	\$519.28	\$774.61	\$1,014.11	\$1,265.36	\$74.14	\$42.35	\$286.14	\$544.21	\$811.79	\$1,062.79	\$1,326.10	\$77.70	\$44.38
4 yd	\$342.47	\$654.31	\$964.34	\$1,244.77	\$1,585.28	\$93.18	\$45.46	\$358.91	\$685.72	\$1,010.63	\$1,304.52	\$1,661.37	\$97.65	\$47.64
6 yd	\$936.98	\$31.00	\$1,382.00	\$1,829.13	\$2,275.59	\$133.82	\$48.73	\$981.96	\$32.49	\$1,448.34	\$1,916.93	\$2,384.82	\$140.24	\$51.07
8 yd	\$633.08	\$1,229.43	\$1,819.60	\$2,404.18	\$3,001.96	\$173.33	\$51.88	\$663.47	\$1,288.44	\$1,906.94	\$2,519.58	\$3,146.05	\$181.65	\$54.37

Commercial Compactors	Weekly Collection Frequency (# Collections Per Week)					New Rate						
Container Size	1	2	3	4	5	EXT	1	2	3	4	5	EXT
2 yd	\$439.42	\$877.14	\$1,234.60	\$1,632.08	\$2,029.28	\$119.12	\$460.51	\$877.32	\$1,293.86	\$1,710.42	\$2,126.69	\$124.84
3 yd	\$546.02	\$1,038.63	\$1,549.18	\$2,028.25	\$2,530.74	\$148.29	\$572.23	\$1,088.48	\$1,623.54	\$2,125.61	\$2,652.22	\$155.41
4 yd	\$684.02	\$1,309.65	\$1,909.68	\$2,489.55	\$3,170.60	\$186.36	\$717.81	\$1,371.47	\$2,021.26	\$2,609.05	\$3,222.79	\$195.21
6 yd	\$974.00	\$1,873.93	\$2,764.01	\$3,658.22	\$4,551.14	\$267.69	\$1,020.75	\$1,963.88	\$2,896.68	\$3,833.81	\$4,769.59	\$280.54
8 yd	\$1,266.14	\$2,458.80	\$3,639.22	\$4,808.41	\$6,003.93	\$346.62	\$1,326.91	\$2,576.82	\$3,813.90	\$5,039.21	\$6,292.12	\$363.26

Misc. Charges and Limited Services	Current Rate	New Rate
Commercial Delivery	\$25.33	\$26.55
Commercial Exchange	\$52.51	\$55.03
Commercial Dry Run	\$65.16	\$68.29
Commercial Extra Yardage (per yard)	\$28.41	\$29.77
Commercial Relocate	\$65.16	\$68.29
Time per minute to pick up loose trash (5m minimum)	\$2.41	\$2.53
Each extra person req to pick up loose garbage (per minute)	\$1.83	\$1.92
Return trip	\$67.05	\$70.27
Locking cart set up	\$32.59	\$34.15
Locking container set up	\$85.24	\$89.33
Lock & Key	\$29.84	\$31.27
Container Off-Route Pickup	\$71.02	\$74.43
Container over weight (per 500lbs)	\$28.41	\$29.77

On Call Containers	Current Rate	Current Rate	New Rate	New Rate
	Dump Fee	Rent	Dump Fee	Rent
1.5yd	\$49.52	\$36.11	\$51.90	\$37.84

2yd	\$59.54	\$39.23	\$62.40	\$41.11
3yd	\$74.14	\$42.35	\$77.70	\$44.38
4yd	\$93.18	\$45.46	\$97.65	\$47.64
6yd	\$133.82	\$48.73	\$140.24	\$51.07
8yd	\$173.33	\$51.88	\$181.65	\$54.37

Mixed Organics	Current Rate	New Rate
1st cart	\$65.59	\$68.74
Extra Carts	\$10.42	\$10.92

INDUSTRIAL SERVICE RATES:

Drop Box - Solid Waste - Open Top/Lidded	New Rate					
	20	30	40	20	30	40
PREPAYMENT	\$350.00	\$350.00	\$400.00	\$350.00	\$350.00	\$400.00
Delivery	\$59.71	\$59.71	\$59.71	\$62.58	\$62.58	\$62.58
Haul	\$299.73	\$316.79	\$332.44	\$314.12	\$332.00	\$348.40
Disposal	\$56.00	\$56.00	\$56.00	\$58.69	\$58.69	\$58.69
Environmental Fee	\$19.71	\$19.71	\$19.71	\$20.66	\$20.66	\$20.66
Dry Run	\$64.71	\$64.71	\$64.71	\$67.82	\$67.82	\$67.82
Temp Rent - starts day after delivery	\$381.34	\$381.34	\$381.34	\$399.64	\$399.64	\$399.64
Perm Rent	\$137.73	\$137.73	\$137.73	\$144.34	\$144.34	\$144.34
Perm Rent Lidded	\$160.53	\$160.53	\$167.53	\$168.24	\$168.24	\$175.57
Perm Rent Lidded not crank	\$160.53	\$160.53	\$167.53	\$168.24	\$168.24	\$175.57

Drop Box - Asbestos	New Rate					
	20	30	40	20	30	40
PREPAYMENT	\$350.00	\$350.00	\$400.00	\$350.00	\$350.00	\$400.00
Delivery	\$59.71	\$59.71	\$59.71	\$62.58	\$62.58	\$62.58
Haul	\$430.04	\$447.10	\$462.75	\$450.68	\$468.56	\$484.96
Disposal	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill
Environmental Fee	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill
Dry Run	\$64.71	\$64.71	\$64.71	\$67.82	\$67.82	\$67.82
Temp Rent - starts day after delivery	\$381.34	\$381.34	\$381.34	\$399.64	\$399.64	\$399.64
Perm Rent	\$137.73	\$137.73	\$137.73	\$144.34	\$144.34	\$144.34
Perm Rent Lidded	\$160.53	\$160.53	\$167.53	\$168.24	\$168.24	\$175.57
Perm Rent Lidded not crank	\$160.53	\$160.53	\$167.53	\$168.24	\$168.24	\$175.57

Drop Box - Concrete/Dirt/Brick	New Rate	
	10yd Only	10yd Only
PREPAYMENT	\$350.00	\$350.00
Delivery	\$59.71	\$62.58
Haul	\$299.73	\$314.12
Disposal Per Load	\$87.50	\$91.70
Environmental Fee	\$19.71	\$19.71
Dry Run	\$64.71	\$67.82
Temp Rent - starts day after delivery	\$381.34	\$399.64
Perm Rent	\$137.73	\$144.34
Perm Rent Lidded	\$160.53	\$168.24
Perm Rent Lidded not crank	\$160.53	\$168.24

Drop Box - Woodwaste/Yardwaste	New Rate					
	20	30	40	20	30	40
PREPAYMENT	\$350.00	\$350.00	\$400.00	\$350.00	\$350.00	\$400.00
Delivery	\$59.71	\$59.71	\$59.71	\$62.58	\$62.58	\$62.58
Haul	\$299.73	\$316.79	\$332.44	\$314.12	\$332.00	\$348.40
Disposal (if container is contaminated, cust will be charged MSW rate)	\$59.00	\$59.00	\$59.00	\$61.83	\$61.83	\$61.83
Environmental Fee	\$19.71	\$19.71	\$19.71	\$20.66	\$20.66	\$20.66
Dry Run	\$64.71	\$64.71	\$64.71	\$67.82	\$67.82	\$67.82
Temp Rent - starts day after delivery	\$381.34	\$381.34	\$381.34	\$399.64	\$399.64	\$399.64
Perm Rent	\$137.73	\$137.73	\$137.73	\$144.34	\$144.34	\$144.34
Perm Rent Lidded	\$160.53	\$160.53	\$167.53	\$168.24	\$168.24	\$175.57
Perm Rent Lidded not crank	\$160.53	\$160.53	\$167.53	\$168.24	\$168.24	\$175.57

Compactor - Solid Waste	New Rate							
	15	20	30	40	15	30	35	40
PREPAYMENT	\$350.00	\$350.00	\$350.00	\$400.00	\$350.00	\$350.00	\$350.00	\$400.00
Delivery	\$54.23	\$59.71	\$59.71	\$59.71	\$56.83	\$62.58	\$62.58	\$62.58
Haul	\$340.91	\$340.91	\$387.82	\$387.82	\$357.27	\$357.27	\$406.44	\$406.44
Disposal	\$56.00	\$56.00	\$56.00	\$56.00	\$58.69	\$58.69	\$58.69	\$58.69
Environmental Fee	\$19.71	\$19.71	\$19.71	\$19.71	\$20.66	\$20.66	\$20.66	\$20.66
Dry Run	\$54.23	\$64.71	\$64.71	\$64.71	\$56.83	\$67.82	\$67.82	\$67.82
Temp Rent - starts day after delivery	\$373.83	\$381.34	\$381.34	\$381.34	\$391.77	\$399.64	\$399.64	\$399.64
Perm Rent	\$134.12	\$137.73	\$137.73	\$137.73	\$140.56	\$144.34	\$144.34	\$144.34
Perm Rent Lidded	\$156.06	\$160.53	\$160.53	\$167.53	\$163.55	\$168.24	\$168.24	\$175.57
Perm Rent Lidded not crank	\$188.35	\$160.53	\$160.53	\$167.53	\$197.39	\$168.24	\$168.24	\$175.57

Security Box	New Rate	
	40	40
Delivery per hour, one hour minimum	\$75.00	\$91.18
Rent	\$120.00	\$125.76

Misc. Charges and Limited Services	Current Rate	New Rate
Delivery - Industrial	\$59.71	\$62.58
Dry Run/Empty Removal-DRY (Industrial)	\$64.71	\$67.82
EXC - Industrial Exchange	\$101.70	\$106.58
Container Repair 3rd Party Rate	\$92.93	\$97.39
Labor Charges per hour	\$109.80	\$115.07

Truck Time (hrs)	\$142.04	\$148.86
Industrial Relocate-REL	\$57.71	\$60.48

Fee	Current	New
Account Origination Fee	\$10.00	\$10.00
Cart Recovery/Replacement	\$75.00	\$75.00
Commercial Container Recovery Fee	\$400.00	\$400.00
Industrial Container Recovery Fee	\$3,000.00	\$3,000.00
Contaminated Recycle or Yard Waste Cart	\$15.00	\$15.00
Late Fee (\$5 min)	1.50%	1.50%
Monthly Recycle Processing Surcharge	\$2.00	\$2.00
Returned Check Fee	\$25.00	\$25.00
Service Interrupt Fee	\$30.00	\$30.00

Benton County (2023/2024 Rates)

New Residential Rate **4.80%**

RESIDENTIAL SERVICE RATES:

Residential Roll Cart	Current Monthly	Current Bi-Monthly	New Monthly	New Bi-monthly	Monthly Total Increase	Bi-monthly Total Increase
1 Can (hand pickup)	30.88	61.76	\$32.36	\$64.72	\$1.48	\$2.96
Add can	20.23	40.46	\$21.20	\$42.40	\$0.97	\$1.94
20g	23.14	46.28	\$24.25	\$48.50	\$1.11	\$2.22
32g	24.7	49.4	\$25.89	\$51.77	\$1.19	\$2.37
32g on-call (per pickup)	16.62	N/A	\$17.42	\$34.84	\$0.80	N/A
65g	N/A	N/A	N/A	N/A	N/A	N/A
90g	39.62	79.24	\$41.52	\$83.04	\$1.90	\$3.80
YC,CO,RC Only	10.42	20.84	\$10.92	\$21.84	\$0.50	\$1.00
Extra YC, CO, RC	10.42	20.84	\$10.92	\$21.84	\$0.50	\$1.00
Enclosure	28.41	56.82	\$29.77	\$59.55	\$1.36	\$2.73
Up the drive	21.31	42.62	\$22.33	\$44.67	\$1.02	\$2.05

Misc. Charges and Limited Services	Current Rate	New Rate	Total Increase
APP-Appliance Without Freon	\$40.19	\$42.12	\$1.93
APN-Appliance With Freon	\$51.83	\$54.32	\$2.49
FUR-Furniture	\$41.48	\$43.47	\$1.99
BU 1 - Dead large animal	\$137.07	\$143.65	\$6.58
MAT - Mattress or Boxspring	\$40.19	\$42.12	\$1.93
Christmas Tree (Up to 8ft, no flocking/tinsel)	\$11.36	\$11.91	\$0.55
EXB-Extra 32 gal can/bag/box/heavy	\$11.36	\$11.91	\$0.55
TIR-Tires w/o rim	\$17.08	\$17.90	\$0.82
BU3-Tires with rim	\$25.53	\$26.76	\$1.23
Truck Tires-ADTB	\$36.88	\$38.65	\$1.77
Truck Tires with rim-ADTB	\$52.51	\$55.03	\$2.52
Return Trip (in Area-On Service Day)	\$29.78	\$31.21	\$1.43
Residential Extra Pickup	\$60.15	\$63.04	\$2.89
Residential Container Exchange (one time per year no charge)	\$48.12	\$50.43	\$2.31
Locking Cart Set Up	\$32.59	\$34.15	\$1.56
Residential Delivery - Per Cart	\$10.00	\$10.00	\$0.00

New Commercial Rate: 4.80%

COMMERCIAL SERVICE RATES:

Temporary Commercial			New Rate			
Container Size	DUMP	RENT	DUMP	Dump Total Increase	RENT	RENT Total Increase
3yd	\$ 107.90	\$ 42.35	\$ 113.08	\$5.18	\$44.38	\$2.03
Prepayment	\$73.07		\$113.08			
NO SOD, DIRT, SHEETROCK, CONCRETE, ROOFING.						

Commercial Front Load - Manual	Weekly Collection Frequency (# Collections Per Week)							New Rate													
	1	2	3	4	5	ON CALL / EXT	RENT	1	1x Total Increase	2	2x Total Increase	3	3x Total Increase	4	4x Total Increase	5	5x Total Increase	ON CALL / EXT	ON CALL / EXT Total Increase	RENT	RENT Total Increase
1.5 yd	\$177.61	\$336.74	\$495.85	\$655.10	\$814.35	\$49.52	\$36.11	\$186.14	\$8.53	\$352.90	\$16.16	\$519.65	\$23.80	\$686.54	\$31.44	\$853.44	\$39.09	\$51.90	\$2.38	\$37.84	\$1.73
2 yd	\$219.74	\$418.58	\$617.29	\$816.05	\$1,014.63	\$59.54	\$39.23	\$230.29	\$10.55	\$438.67	\$20.09	\$646.92	\$29.63	\$855.22	\$39.17	\$1,063.33	\$48.70	\$62.40	\$2.86	\$41.11	\$1.88
3 yd	\$273.03	\$519.28	\$774.61	\$1,014.11	\$1,265.36	\$74.14	\$42.35	\$286.14	\$13.11	\$544.21	\$24.93	\$811.79	\$37.18	\$1,062.79	\$48.68	\$1,326.10	\$60.74	\$77.70	\$3.56	\$44.38	\$2.03
4 yd	\$342.47	\$654.31	\$964.34	\$1,244.77	\$1,585.28	\$93.18	\$45.46	\$358.91	\$16.44	\$685.72	\$31.41	\$1,010.63	\$46.29	\$1,304.52	\$59.75	\$1,661.37	\$76.09	\$97.65	\$4.47	\$47.64	\$2.18
6 yd	\$936.98	\$31.00	\$1,382.00	\$1,829.13	\$2,275.59	\$133.82	\$48.73	\$981.96	\$44.98	\$32.49	\$1.49	\$1,448.34	\$66.34	\$1,916.93	\$87.80	\$2,384.82	\$109.23	\$140.24	\$6.42	\$51.07	\$2.34
8 yd	\$633.08	\$1,229.43	\$1,819.60	\$2,404.18	\$3,001.96	\$173.33	\$51.88	\$663.47	\$30.39	\$1,288.44	\$59.01	\$1,906.94	\$87.34	\$2,519.58	\$115.40	\$3,146.05	\$144.09	\$181.65	\$8.32	\$54.37	\$2.49

Commercial Front Load - Automatic	Weekly Collection Frequency (# Collections Per Week)						New Rate											
	1	2	3	4	5	EXT	1	1x Total Increase	2	2x Total Increase	3	3x Total Increase	4	4x Total Increase	5	5x Total Increase	EXT	EXT Total Increase
1.5 yd	\$159.52	\$294.79	\$429.93	\$565.05	\$700.43	\$49.52	\$167.18	\$7.66	\$308.94	\$14.15	\$450.57	\$20.64	\$592.17	\$27.12	\$734.05	\$33.62	\$51.90	\$3.38
2 yd	\$198.99	\$368.01	\$537.04	\$706.07	\$874.81	\$59.54	\$208.54	\$9.55	\$385.67	\$17.66	\$562.82	\$25.78	\$739.96	\$33.89	\$916.80	\$41.99	\$62.40	\$2.86
3 yd	\$239.78	\$445.03	\$650.17	\$855.25	\$1,060.52	\$74.14	\$251.29	\$11.51	\$466.39	\$21.36	\$681.38	\$31.21	\$896.30	\$41.05	\$1,111.42	\$50.90	\$77.70	\$3.56
4 yd	\$304.27	\$567.53	\$830.48	\$1,063.12	\$1,356.97	\$93.18	\$318.87	\$14.60	\$594.77	\$27.24	\$870.34	\$39.86	\$1,114.15	\$51.03	\$1,422.10	\$65.13	\$97.65	\$4.47
6 yd	\$430.30	\$810.96	\$1,190.57	\$1,571.88	\$1,953.31	\$133.82	\$450.95	\$20.65	\$849.89	\$38.93	\$1,247.72	\$57.15	\$1,647.33	\$75.45	\$2,047.07	\$93.76	\$140.24	\$6.42
8 yd	\$560.24	\$1,064.10	\$1,568.61	\$2,072.53	\$2,576.87	\$173.33	\$587.13	\$26.89	\$1,115.18	\$51.08	\$1,643.90	\$75.29	\$2,172.01	\$99.48	\$2,700.56	\$123.69	\$181.65	\$8.32

Commercial Compactors	Weekly Collection Frequency (# Collections Per Week)						New Rate											
	1	2	3	4	5	EXT	1	1x Total Increase	2	2x Total Increase	3	3x Total Increase	4	4x Total Increase	5	5x Total Increase	EXT	EXT Total Increase
2 yd	\$439.42	\$837.14	\$1,234.60	\$1,632.08	\$2,029.28	\$119.12	\$460.51	\$21.09	\$877.32	\$40.18	\$1,293.86	\$59.26	\$1,710.42	\$78.34	\$2,126.69	\$97.41	\$124.84	\$5.72
3 yd	\$546.02	\$1,038.63	\$1,549.18	\$2,028.25	\$2,530.74	\$148.29	\$572.23	\$26.21	\$1,088.48	\$49.85	\$1,623.54	\$74.36	\$2,125.61	\$97.36	\$2,652.22	\$121.48	\$155.41	\$7.12
4 yd	\$684.93	\$1,308.65	\$1,928.68	\$2,489.55	\$3,170.60	\$186.36	\$717.81	\$32.88	\$1,371.47	\$62.82	\$2,021.26	\$92.58	\$2,609.05	\$119.50	\$3,322.79	\$152.19	\$195.31	\$8.95
6 yd	\$974.00	\$1,873.93	\$2,764.01	\$3,658.22	\$4,551.14	\$267.69	\$1,020.75	\$46.75	\$1,963.88	\$89.95	\$2,896.68	\$132.67	\$3,833.81	\$175.59	\$4,769.59	\$218.45	\$280.54	\$12.85
8 yd	\$1,266.14	\$2,458.80	\$3,639.22	\$4,808.41	\$6,003.93	\$346.62	\$1,326.91	\$60.77	\$2,576.82	\$118.02	\$3,813.90	\$174.68	\$5,039.21	\$230.80	\$6,292.12	\$288.19	\$363.26	\$16.64

COMPACTORS CHARGED AT 3X'S THE STANDARD PICKUP RATE

Misc. Charges and Limited Services	Current Rate	New Rate	Total Increase
Commercial Delivery	\$25.33	\$26.55	\$1.22
Commercial Exchange	\$52.51	\$55.03	\$2.52
Commercial Dry Run	\$65.16	\$68.29	\$3.13
Commercial Extra Yardage (per yard)	\$28.41	\$29.77	\$1.36
Commercial Relocate	\$65.16	\$68.29	\$3.13
Time per minute to pick up loose trash (5m minimum)	\$2.41	\$2.53	\$0.12
Each extra person req to pick up loose garbage (per minute)	\$1.83	\$1.92	\$0.09
Return trip	\$67.05	\$70.27	\$3.22
Locking cart set up	\$32.59	\$34.15	\$1.56
Locking container set up	\$85.24	\$89.33	\$4.09
Lock & Key	\$29.84	\$31.27	\$1.43
Container Off-Route Pickup	\$71.02	\$74.43	\$3.41
Container over weight (per 500lbs)	\$28.41	\$29.77	\$1.36

On Call Containers/EXT Rates	Current Rate Dump Fee	Current Rate Rent	New Rate Dump Fee	New Rate Rent	Dump Fee Total Increase	RENT Increase
1.5yd	\$49.52	\$36.11	\$51.90	\$ 2.38	\$37.84	\$ 1.73
2yd	\$59.54	\$39.23	\$62.40	\$ 2.86	\$41.11	\$ 1.88
3yd	\$74.14	\$42.35	\$77.70	\$ 3.56	\$44.38	\$ 2.03
4yd	\$93.18	\$45.46	\$97.65	\$ 4.47	\$47.64	\$ 2.18
6yd	\$133.82	\$48.73	\$140.24	\$ 6.42	\$51.07	\$ 2.34
8yd	\$173.33	\$51.88	\$181.65	\$ 8.32	\$54.37	\$ 2.49

New Industrial Rate: 4.80%

INDUSTRIAL SERVICE RATES:

Drop Box - Solid Waste - Open Top/Lidded					New Rate				
	20	30	40	20	20 Total Increase	30	30 Total Increase	40	30 Total Increase
PREPAYMENT	\$350.00	\$350.00	\$400.00	\$350.00	\$0.00	\$350.00	\$0.00	\$400.00	\$0.00
Delivery	\$59.71	\$59.71	\$59.71	\$62.58	\$2.87	\$62.58	\$2.87	\$62.58	\$2.87
Haul	\$299.73	\$316.79	\$332.44	\$314.12	\$14.39	\$332.00	\$15.21	\$348.40	\$15.96
Disposal	\$56.00	\$56.00	\$56.00	\$58.69	\$2.69	\$58.69	\$2.69	\$58.69	\$2.69
Environmental Fee	\$19.71	\$19.71	\$19.71	\$20.66	\$0.95	\$20.66	\$0.95	\$20.66	\$0.95
Dry Run	\$64.71	\$64.71	\$64.71	\$67.82	\$3.11	\$67.82	\$3.11	\$67.82	\$3.11
Temp Rent - starts day after delivery	\$381.34	\$381.34	\$381.34	\$399.64	\$18.30	\$399.64	\$18.30	\$399.64	\$18.30
Perm Rent	\$137.73	\$137.73	\$137.73	\$144.34	\$6.61	\$144.34	\$6.61	\$144.34	\$6.61
Perm Rent Lidded	\$160.53	\$160.53	\$167.53	\$168.24	\$7.71	\$168.24	\$7.71	\$175.57	\$8.04
Perm Rent Lidded not crank	\$160.53	\$160.53	\$167.53	\$168.24	\$7.71	\$168.24	\$7.71	\$175.57	\$8.04

Drop Box - Asbestos					New Rate				
	20	30	40	20	20 Total Increase	30	30 Total Increase	40	30 Total Increase
PREPAYMENT	\$350.00	\$350.00	\$400.00	\$350.00	\$0.00	\$350.00	\$0.00	\$400.00	\$0.00
Delivery	\$59.71	\$59.71	\$59.71	\$62.58	\$2.87	\$62.58	\$2.87	\$62.58	\$2.87
Haul	\$430.04	\$447.10	\$462.75	\$450.68	\$20.64	\$468.56	\$21.46	\$484.96	\$22.21
Disposal	#REF!	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill
Environmental Fee	#REF!	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill	Billed by Landfill
Dry Run	\$64.71	\$64.71	\$64.71	\$67.82	\$3.11	\$67.82	\$3.11	\$67.82	\$3.11
Temp Rent - starts day after delivery	\$381.34	\$381.34	\$381.34	\$399.64	\$18.30	\$399.64	\$18.30	\$399.64	\$18.30
Perm Rent	\$137.73	\$137.73	\$137.73	\$144.34	\$6.61	\$144.34	\$6.61	\$144.34	\$6.61
Perm Rent Lidded	\$160.53	\$160.53	\$167.53	\$168.24	\$7.71	\$168.24	\$7.71	\$175.57	\$8.04

Drop Box - Concrete/Dirt/Brick	New Rate		
	10yd Only	10yd Only	Total Increase
PREPAYMENT	\$350.00	\$350.00	\$0.00
Delivery	\$59.71	\$62.58	\$2.87
Haul	\$299.73	\$314.12	\$14.39
Disposal Per Load	\$87.50	\$91.70	\$4.20
Environmental Fee	\$19.71	\$19.71	\$0.00
Dry Run	\$64.71	\$67.82	\$3.11
Temp Rent - starts day after delivery	\$381.34	\$399.64	\$18.30
Perm Rent	\$137.73	\$144.34	\$6.61
Perm Rent Lidded	\$160.53	\$168.24	\$7.71
Perm Rent Lidded not crank	\$160.53	\$168.24	\$7.71

Security Box	New Rate		
	40	40	Total Increase
Delivery per hour, one hour minimum	\$75.00	\$91.18	\$16.18
Rent	\$120.00	\$125.76	\$5.76

Misc. Charges and Limited Services	Current Rate	New Rate	Total Increase
Delivery - Industrial	\$59.71	\$62.58	\$2.87
Dry Run/Empty Removal-DRY (Industrial)	\$64.71	\$67.82	\$3.11
EXC - Industrial Exchange	\$101.70	\$106.58	\$4.88
Container Repair 3rd Party Rate	\$92.93	\$97.39	\$4.46
Labor Charges per hour	\$109.80	\$115.07	\$5.27
Truck Time (hrs)	\$142.04	\$148.86	\$6.82
Industrial Relocate-REL	\$57.71	\$60.48	\$2.77

Drop Box - Woodwaste/Yardwaste					New Rate				
	20	30	40	20	20 Total Increase	30	30 Total Increase	40	40 Total Increase
PREPAYMENT	\$350.00	\$350.00	\$400.00	\$350.00	\$0.00	\$350.00	\$0.00	\$400.00	\$0.00
Delivery	\$59.71	\$59.71	\$59.71	\$62.58	\$2.87	\$62.58	\$2.87	\$62.58	\$2.87
Haul	\$299.73	\$316.79	\$332.44	\$314.12	\$14.39	\$332.00	\$15.21	\$348.40	\$15.96
Disposal (if container is contaminated, cust will be charged MSW rate)	\$59.00	\$59.00	\$59.00	\$61.83	\$2.83	\$61.83	\$2.83	\$61.83	\$2.83
Environmental Fee	\$19.71	\$19.71	\$19.71	\$20.66	\$0.95	\$20.66	\$0.95	\$20.66	\$0.95
Dry Run	\$64.71	\$64.71	\$64.71	\$67.82	\$3.11	\$67.82	\$3.11	\$67.82	\$3.11
Temp Rent - starts day after delivery	\$381.34	\$381.34	\$381.34	\$399.64	\$18.30	\$399.64	\$18.30	\$399.64	\$18.30
Perm Rent	\$137.73	\$137.73	\$137.73	\$144.34	\$6.61	\$144.34	\$6.61	\$144.34	\$6.61
Perm Rent Lidded	\$160.53	\$160.53	\$167.53	\$168.24	\$7.71	\$168.24	\$7.71	\$175.57	\$8.04
Perm Rent Lidded not crank	\$160.53	\$160.53	\$167.53	\$168.24	\$7.71	\$168.24	\$7.71	\$175.57	\$8.04

New Rate

Benton County (3450) 2024 Rates

Compactor - Solid Waste	15	20	30	40	15	15 Total Increase	20	20 Total Increase	30	30 Total Increase	40	40 Total Increase
PREPAYMENT	\$350.00	\$350.00	\$350.00	\$400.00	\$350.00	\$0.00	\$350.00	\$0.00	\$350.00	\$0.00	\$400.00	\$0.00
Delivery	\$54.23	\$59.71	\$59.71	\$59.71	\$56.83	\$2.60	\$62.58	\$2.87	\$62.58	\$2.87	\$62.58	\$2.87
Haul	\$340.91	\$340.91	\$387.82	\$387.82	\$357.27	\$16.36	\$357.27	\$16.36	\$406.44	\$18.62	\$406.44	\$18.62
Disposal	\$56.00	\$56.00	\$56.00	\$56.00	\$58.69	\$2.69	\$58.69	\$2.69	\$58.69	\$2.69	\$58.69	\$2.69
Environmental Fee	\$19.71	\$19.71	\$19.71	\$19.71	\$20.66	\$0.95	\$20.66	\$0.95	\$20.66	\$0.95	\$20.66	\$0.95
Dry Run	\$54.23	\$64.71	\$64.71	\$64.71	\$56.83	\$2.60	\$67.82	\$3.11	\$67.82	\$3.11	\$67.82	\$3.11
Temp Rent - starts day after delivery	\$373.83	\$381.34	\$381.34	\$381.34	\$391.77	\$17.94	\$399.64	\$18.30	\$399.64	\$18.30	\$399.64	\$18.30
Perm Rent	\$134.12	\$137.73	\$137.73	\$137.73	\$140.56	\$6.44	\$168.24	\$30.51	\$168.24	\$30.51	\$175.57	\$37.84

Benton County 4452 Rates

Fee	Current	New	Total Increase
Account Origination Fee	\$10.00	\$10.00	\$0.00
Cart Recovery/Replacement	\$75.00	\$75.00	\$0.00
Commercial Container Recovery Fee	\$400.00	\$400.00	\$0.00
Industrial Container Recovery Fee	\$3,000.00	\$3,000.00	\$0.00
Contaminated Recycle or Yard Waste Cart	\$15.00	\$15.00	\$0.00
Late Fee (\$5 min)	\$0.02	\$0.02	\$0.00
Monthly Recycle Processing Surcharge	\$2.00	\$2.00	\$0.00
Returned Check Fee	\$25.00	\$25.00	\$0.00
Service Interrupt Fee	\$30.00	\$30.00	\$0.00

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

In the Matter of Approving a) FINDINGS OF FACT,
Refuse Rate Index for) CONCLUSIONS OF LAW,
Republic Services) and ORDER D2013-053

I. NATURE OF THE PROCEEDING

This matter comes before the Board of Commissioners pursuant to Benton County Code (BCC) 23.510 (9), which empowers the Board to review and approve franchised waste hauler Refuse Rate Index adjustments.

The Board of Commissioners, having reviewed all of the evidence and testimony, finds as follows:

II. FINDINGS OF FACT

1. REPUBLIC SERVICES (REPUBLIC) is a franchised service provider pursuant to BCC Chapter 23.
2. On January 23 and March 20, 2013, REPUBLIC presented a proposal for a Refuse Rate Index to the Benton County Solid Waste Advisory Council (COUNCIL) for Benton County to be effective January 1, 2014. The Refuse Rate Index proposes annual pricing adjustments based on a weighted average of the Portland-Salem Consumer Price Index for All Urban Consumers (CPI-U), the Coffin Butte landfill tipping fee, and the Pacific Region Composting facility.
3. The COUNCIL recommended to the Board of Commissioners that the Refuse Rate Index be approved as requested with the condition that Republic provides an annual report with financials to Benton County no later than October 1 prior to the implementation of any Refuse Rate Index adjustments.
4. Benton County Health Department staff concurred with the council’s recommendation with the additional condition that notification be provided to all affected REPUBLIC customers in Benton County no less than 30 days prior to any Refuse Rate Index rate adjustment. Notification to include the effective date of the adjustment and the percent change with examples, at a minimum, from one residential service, one commercial service, and one industrial service. Notification to be made in the local newsletter, billing inserts, and company website that identifies local services.
5. The Benton County Board of Commissioners held a duly advertised public hearing on May 7, 2013 to review the request by REPUBLIC.

III. CONCLUSIONS OF LAW

1. The Benton County Board of Commissioners finds that BCC 23.510 (9) applies to this request for a rate increase.
2. The Benton County Board of Commissioners specifically incorporates into the record of this proceeding the May 7, 2013 Agenda Checklist with enclosures.

IV. ORDER

Based on the above Findings and Conclusions, the Board HEREBY ORDERS:

1. The REPUBLIC Refuse Rate Index for annual rate adjustments is hereby approved.
2. This Refuse Rate Index shall be effective beginning on January 1, 2014 and continue for each subsequent franchised year unless revoked by Board Order.
3. The Refuse Rate Index shall be calculated by taking the weighted average of 75% of the annual Portland-Salem Consumer Price Index for All Urban Consumers (CPI-U), 17% of the disposal rate, including fees, at Coffin Butte Regional Sanitary Landfill, and 8% of the disposal rate, including fees, at the Pacific Region Composting facility.
4. The Refuse Rate Index will be calculated by taking the weighted average, based on the weights in Section 3 above of the percentage difference between the three indices' most recent year-end values and the corresponding values for the prior year, and adding the result to 1.0. The resulting amount shall be termed the "adjustment factor". At no time shall the adjustment factor be less than 1.0. All rates in the rate schedule shall then be multiplied by the approved adjustment factor. Exhibit 1 represents an example set of calculations. The calculations are not based on actual data and are for demonstration purposes only.
5. REPUBLIC shall provide Benton County with an annual report that includes adjustment factors for the coming year, comparative rates in other jurisdictions, and their most current financials no later than October 1 of the year prior to the implementation of any Refuse Rate Index adjustments.
6. REPUBLIC shall provide notification to all affected customers in Benton County no less than 30 days prior to any Refuse Rate Index rate adjustment. Notification to include the effective date of the adjustment and the percent change with examples, at a minimum, from one residential service, one commercial service, and one industrial service. Notification to be made in the local REPUBLIC newsletter, billing inserts, and company website that identifies local services.
7. REPUBLIC may propose additional rate adjustments due to significant changes in collection and recycling service levels, required environmental or regulatory compliance measures, or

other changes affecting collections system costs. Changes other than Refuse Rate Index adjustments shall comply with BCC 23.510 (1) through (8).

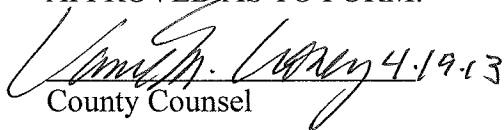
8. A review of the Refuse Rate Index and annual report no later than November 30, 2017 will include a public hearing to gather public input on the Recovery Rate Index.
9. The REPUBLIC Refuse Rate Index expires with the current franchise agreement and may be considered in the franchise renewal process.
10. This Order shall be effective on June 21, 2013.

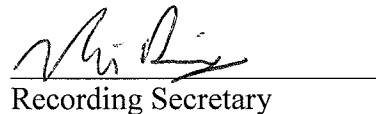
Adopted this 7 day of May, 2013.

Signed this 21 day of May, 2013.

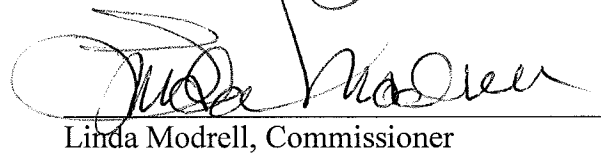
BENTON COUNTY
BOARD OF COMMISSIONERS

APPROVED AS TO FORM:


County Counsel


Recording Secretary


Annabelle Jaramillo, Commissioner


Linda Modrell, Commissioner


Jay Dixon, Commissioner

Benton County Refuse Rate Index Example

	Index June 30, 2012	Index June 30, 2013	% Change	Weight	Refuse Index
Portland-Salem CPI-U	225	230	2.2%	75%	1.7%
Coffin Butte Landfill Disposal Rate	\$27.63	\$28.25	2.2%	17%	0.4%
PRC Disposal Rate	\$30.00	\$31.50	5.0%	8%	0.4%
				Rate Adjustment %	2.4%
					<u>100.0%</u>
				Adjustment Factor	102.4%

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 12/05/23

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Natural Areas, Parks and Events

Contact Name * Tomi Douglas

Phone Extension * 6090

Meeting Attendee Name * Tomi Douglas

Agenda Item Details

Item Title * Chapter 9 Amendment: Ordinance 2023-0322

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

Board/Committee Involvement * Yes
 No

Advertisement*

Yes

No

Page 62 of 97

Item Issues and Description

Identified Salient Issues*

Public Hearing regarding the amendment of Benton County Code, Chapter 9, regarding exotic and wild animal displays and subsequent adoption of a clarifying amendment.

Options*

Move to enact Ordinance No. 2023-0322 and conduct a first reading.

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](#).

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*

Clarifying Benton County's exotic and wild animal display ordinance will ensure we support our diverse ranching and agricultural community while ensuring animal welfare.

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*

This issue/ordinance impacts our local growers, ranchers, and makers as well as the arts and entertainment community as it applies to both fairs and rodeos but also private ticketed events at the Fairgrounds and throughout the County

Recommendations and Motions

Item Recommendations and Motions

Staff Enact Ordinance No. 2023-0322 by conducting a first reading.

Recommendations *

Meeting Motions * I move to ...

...enact Ordinance No. 2023-0322 and conduct a first reading.

Meeting Motion

I move to enact Ordinance No. 2023-0322 and conduct a first reading.

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.

Chap 9 Animal Control redline 11-21-2023.docx 36.13KB

BC Code, Chap 9 Amendment - 231205 -
ORDINANCE 2023-0322.doc 42.5KB

Comments (optional) The Fair Board is coordinating a written response that we will forward upon receipt.

If you have any questions, please call ext.6800

Department Approver

AMANDA MAKEPEACE

1.

Department Approval

Comments

Signature

Amanda Makepeace

2.

Counsel Approval

Comments

Signature

Vance H. Croney

3.

County Administrator Approval

Comments

Signature

Rachel L McEneny

4.

BOC Final Approval

Comments

Signature

Amanda Makepeace

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

In the Matter of Amending)
Benton County Code Chapter 9) **Ordinance No. 2023-0322**
)

THE BENTON COUNTY BOARD OF COMMISSIONERS HEREBY ORDAIN AS FOLLOWS:

WHEREAS, wild or exotic animals used in traveling animal displays suffer severe and extended confinement, are deprived of natural movements, free exercise, and natural behaviors, and are prone to chronic stress, behavioral, health, and psychological problems; and

WHEREAS, constant travel, temporary and collapsible facilities, and prolonged confinement and physical coercion are inherently part of traveling animal displays, and these conditions subject wild or exotic animals to chronic stress that compromises their welfare while also creating risks for the public and workers;

WHEREAS, the itinerant nature of traveling animal displays using wild or exotic animals complicates oversight such that agencies and authorities cannot properly monitor, evaluate, or follow through regarding the condition of animals or facilities, or their history of injuries, incidents, illnesses, violations, or other issues, and so cannot properly protect animals, workers, or the public;

WHEREAS, the use of wild or exotic animals for entertainment contributes to the trade of these animals by perpetuating their breeding and sale; and

WHEREAS, Benton County deems it is in the public interest to prevent animal cruelty by prohibiting traveling animal displays that include wild or exotic animals for public entertainment or amusement within the County.

NOW, THEREFORE, the Board of Commissioners of Benton County ordain as follows:

I. Short Title.

1. This ordinance shall be known as “Amendment to Benton County Code Chapter 9”

II. Text Amendment.

2. Benton County Code Chapter 9 is hereby amended as described in the attached Exhibit A.

This Ordinance shall become effective on the 19th day of January, 2023.

1st Reading: December 5, 2023
2nd Reading: December 19, 2023
Effective Date: January 18, 2024

BOARD OF COMMISSIONERS

Pat Malone, Chair

Approved as to Form:

Xanthippe Augerot, Vice Chair

Vance M. Croney, County Counsel

Nancy Wyse, Commissioner

Exhibit “A”

Benton County Code Chapter 9.805 shall be amended as follows:

9.805 DEFINITIONS. As used in BCC Chapter 9, Section 8:

(1) **Animal Display** means any exhibition, fair, act, circus, ride, trade show, carnival, race, parade, or similar undertaking in which a wild or exotic animal is required to perform tricks, give rides, fight or participate as accompaniments for the purpose of entertainment, amusement, or benefit of a live audience, whether or not a fee is charged.

(2) **Mobile or Traveling Housing Facility** means any transporting vehicle such as a truck, trailer or railway car, used to transport or house wild or exotic animals while traveling for an animal display.

(3) **Traveling Animal Display** means any animal display in which wild or exotic animals are transported to, from or in between locations in a mobile or traveling housing facility, for the purpose of such animal display. This shall not include the transportation of a wild or exotic animal between United States Department of Agriculture licensed sanctuaries and zoos for the purpose of providing lifetime care.

(4) **Wild or Exotic Animal** means any live animals listed below ~~from any of the following scientific classifications, including any hybrid of such animal. The animals listed in parentheses are intended as examples and not to be construed as an exhaustive list, or limit the generality of each group of animals, unless otherwise specified:~~

(a) Hippopotamuses, giraffes, camels, deer, antelope, and chevrotains;

(b) Alligators, crocodiles and camans;

(c) Sharks, skates, rays and lemon sharks;

(d) Elephants;

(e) Tigers, lions, jaguars, leopards, panthers, cheetahs, cougars, lynx, bobcat, ocelot, margay, Fisher cats, and European wild cats but excluding domestic cats;

(f) Hyenas;

(g) Kangaroos, koalas, wombats, wallabies, opossums and gliders;

(h) Apes, monkeys, lemurs, gorillas, chimpanzees, orangutans, bonobos;

(i) Rhinoceroses, tapirs and zebras;

(j) Seals, sea lions, and walruses;

(k) Ostriches and emus;

- (l) Bears;
- (m) Wolves, coyotes, foxes, African wild dogs and jackals except domestic dogs and their hybrids;
- (n) Whales, dolphins, and porpoises;
- (o) Anteaters, sloths, and armadillos;
- (p) Skunks, weasels, martens, mink, badgers, river otters, and sea otter;
- (q) Raccoons, coatis, kinkajous, ringtails, cacomistles and olingos;
- (r) Tortoises;
- (s) Civets, mongooses, bearcats and genets; and
- (t) Monitor lizards, Komodo dragons. ~~[Ord. 2023-_____]; 2018-0290]~~
- ~~(a) — Artiodactyla (including hippopotamuses, giraffes, camels, but excepting alpaca, cattle, llama, swine, sheep, and goats);~~
- ~~(b) — Crocodylia (including alligators and crocodiles);~~
- ~~(c) — Elasmobranchii (including nurse sharks and lemon sharks);~~
- ~~(d) — Elephantidae (elephants);~~
- ~~(e) — Felidae (including tigers, lions, jaguars, leopards, cheetahs, and cougars, but excluding domestic cats);~~
- ~~(f) — Hyaenidae (hyenas);~~
- ~~(g) — Marsupialia (including kangaroos);~~
- ~~(h) — Non-human primates (including apes, monkeys, and lemurs);~~
- ~~(i) — Perissodactyla (including rhinoceroses and tapirs, but excluding Equidae);~~
- ~~(j) — Pinnipedia (including seals, sea lions, and walruses);~~
- ~~(k) — Struthio (ostriches); and~~
- ~~(l) — Ursidae (bears).~~
- ~~(m) — Canidae (including wolves, coyotes, foxes, except domestic dogs)~~
- ~~(n) — Cetacea (including whales, dolphins, porpoises)~~
- ~~(o) — Edentata (including anteaters, sloths, armadillo)~~

- (p) ~~Mustelidae (including skunks, weasels, mink, badgers, river otters, sea otters)~~
- (q) ~~Procyonidae (including raccoons, coatis, kinkajous, ringtails)~~
- (r) ~~Testudinidae (tortoise)~~
- (s) ~~Viverridae (including civets, mongooses, bearcats)~~
- (t) ~~Varanidae (monitor lizards, Komodo dragons) [Ord. 2018-0290]~~

Benton County Code Ch. 9.810 shall be amended as follows:

9.810 Prohibitions.

- (1) It shall be unlawful for any person to allow for the participation of ~~an~~ wild or exotic animal listed in Section 9.805(4) in a traveling animal display.
- (2) The following facilities, institutions, persons, entities, associations and government agencies are exempt from compliance with BCC 9.810(1):

~~(a) Any facility accredited by the Association of Zoos and Aquariums (AZA), or the World Association of Zoos and Aquariums (WAZA), Oregon Wildlife Rehabilitation Association (OWRA), the National Wildlife Rehabilitation Association (NWRA), International Association of Avian Trainers and Educators (IAATE) or the International Wildlife Rehabilitation Council (IWRC);~~

~~(b) Any licensed or accredited academic, research, education or medical institution, the USDA Cooperative Extension Service, OSU Extension Service 4-H and its sanctioned events, community rodeos conforming to NPRA (Northwest Professional Rodeo Association) animal welfare rules and FFA-sponsored events and including any such institution dedicated to the training of service or assistance animals, but excluding wild animal training programs for the purpose of traveling animal displays;~~

~~(c) Veterinary clinics or wildlife rescue and rehabilitation facilities, which are licensed or permitted by the state of Oregon;~~

(a) Any licensed or accredited academic, research, education or medical institution, the USDA Cooperative Extension Service, OSU Extension Service 4-H and its sanctioned events, and any institution dedicated to the training of service or assistance animals, but excluding wild animal training programs for the purpose of traveling animal displays;

(b) Community rodeos conforming to NPRA (Northwest Professional Rodeo Association) animal welfare rules and FFA-sponsored events. This exemption applies to activities using livestock and domestic animals only.

~~©(d)~~ Persons temporarily transporting ~~wild or exotic~~ animals listed in Section 9.805(4) through the county, provided that the transit time shall not be more than three days, and that such animals shall not be presented for animal displays while in the county;

~~(de)~~ Persons owning or keeping a trained exotic primate as a service animal pursuant to ORS 609.345.

~~€~~The employee or contractor of a filmmaker (as defined in ORS 284.368) for the purposes of producing a film (as defined in ORS 284.368).

~~(a)~~ (f)Animals not listed in Section 9.805(4) may be prohibited or restricted by state law or regulation. [Ord. 2023-____; 2018-0290]

MAKEPEACE Amanda

From: DOUGLAS Tomi
Sent: Wednesday, November 29, 2023 4:51 PM
To: MAKEPEACE Amanda
Subject: FW: The halt of BCC Ch. 9 Wild Animal Changes

Here's the email from our Board Chair Trudy...thanks!



Tomi Douglas (she/her)

Director, Natural Areas, Parks & Events
110 SW 53rd Street, Corvallis, OR 97333

O: (541) 766-6090 C: (541) 220-8369
tomi.douglas@bentoncountyor.gov
www.co.benton.or.us

From: Overlin, Trudy <toverlin@nuscalepower.com>
Sent: Wednesday, November 29, 2023 11:29 AM
To: Vance.M.Croney@bentoncontyor.gov
Cc: Rachel.mceney@bentoncuntyor.gov; OTT Jesse <jesse.ott@bentoncountyor.gov>; DOUGLAS Tomi <tomi.douglas@bentoncountyor.gov>; Freeman, Rick <Rick.Freeman@oregonstate.edu>; Craig Hendrickson <craig.l.hendrickson@lesschwab.com>; Kristi Schrock <jkschrock10@gmail.com>; 'darrelloakes@pmiclab.com' <darrelloakes@pmiclab.com>; Aurora Jensen (auroraljensen@gmail.com) <auroraljensen@gmail.com>; Zel Brook <art@zelbrook.com>
Subject: The halt of BCC Ch. 9 Wild Animal Changes

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Croney:

In regard to the "halt" of the progression regarding the change in the exotic and wild animal ordinance, which was afforded to Ms. Arlene Merems, we the collective of the Benton County Fair Board raise several concerns and objections to the extension of this ordinance, which in our opinion, and the opinion of others in the County, should be repealed in its entirety. Since it appears that this is not likely at this time, and that the current BOC will not accept the Animal Welfare Ordinance, drafted in good faith by the committee, a committee whose membership was approved by current commissioner Augerot, then later disregarded or disavowed, it is important that we again register our concerns with this ordinance in general, and with the proposed additions made by Ms. Merems and the organization she represents. We also want on record, that we did as a fair board object to this ordinance and have from the beginning, as it is an over reach. We as a board were informed the intent the ordinance was to prevent the Jordan Circus and Walk on the Wild Side from having large caged mammals, improperly exercised and transported for long periods without break, from exhibiting at the fairgrounds. This situation was something the fair board did not have the authority to impose, having had our role modified, limiting our role to management authority during the fair only, and as a recommendation on other issues. When the Activists approached the fair board regarding this issue, we did not have authority to prevent Jordan Circus and Walk on the Wild side, and we rightly deferred to the BOC which informed us that their only intent was to prevent these activities. In fact, as a board, we were informed over and over that this process, and the ordinance would only be to prevent these exhibitors and go no further. To our surprise, it became an extreme ordinance that contains enough issues to create potential litigation, and to prevent exhibitors, even educational shows, from renting the fairgrounds, which further hampers the fairgrounds from being able to book events to remain viable. As you are

aware county subsidies are being reduced due to the need to cover the cost and absorb the financial impact of retirement funding. Although we get that the retirement funding is an issue, we as a board and the facility are being further hampered from being the resource it is intended to be, which is to support county residents, and further support the agricultural heritage of the county and of the State of Oregon. We also feel strongly that this ordinance is based on “junk” science and was not well drafted, but rather based on the playbook of PETA and activist activities, such as those presented to the State Legislature last session, which subsequently failed. We also feel that State and Federal laws on the books already cover the removal of large mammal exhibits and circuses such as Walk on the Wild Side from renting space to provide their shows. We know based on our own research, materials of which we provided to Commissioners, that this ordinance has been a reach and does not take into consideration many things such as agriculture in the State, and the value of educational exhibits such as Brad’s Reptiles (a long time, tax paying citizen of Benton County and subject matter expert, as recognized by both the State and OMSI, who provides refuge for reptiles abandoned by their owners) that once were conducted in schools and at the fairgrounds.

To start with, adding “livestock” to the ordinance creates a dichotomy with the list of banned animals since; by definition in Meriam Webster the term means “animals kept or raised for use or pleasure; *especially* farm animals kept for profit.” From Britannica the definition includes “In Western countries the category encompasses primarily cattle, sheep, pigs, goats, horses, donkeys, mules; other animals such as buffalo, oxen, llamas or camels, which may predominate in agriculture.” This brings up the question of camels which are clearly on the list but have been used as domestic animals in the United States and other countries as pack and trail animals, yet they are banned by this ordinance. Regarding the text provided, below are issues the board has with the change that is now being requested, to which approval has been halted to accommodate activities on this ordinance, yet the concerns raised by the fair board were, at best disregarded and dismissed. See the following in “red” text.

Proposed Changes:

The BOC opted to halt the BCC ch. 9 wild animal changes. Because several members of the public were under the impression the ordinance would be presented in November, the Board felt it prudent to not conduct the second reading of the ordinance, and to reset for early December in order to provide a better opportunity for public engagement.

Specifically, the BOC would like to see a change recommended by Arlene Merems incorporated into the version of ch. 9 the Board approved on Oct. 24. Ms. Merems points to BCC 9.810(2)(b) as presenting a loophole through which undesirable animals (please define undesirable, we are not sure what this means) could be displayed (displayed as in stuffed, or actually at a rodeo, fair or show?? This too is a vague term, suspect you mean exhibited) in the county. Here is that subsection, as approved by the BOC last month:

- (b) Any licensed, certified or accredited academic, research, education or medical institution, the USDA Cooperative Extension Service, OSU Extension Service 4-H and its sanctioned events, community rodeos conforming to NPRA (Northwest Professional Rodeo Association, or other PRA Associations such as IMPRA) animal welfare rules and FFA-sponsored events and any institution dedicated to the training of service or assistance animals, but excluding wild animal training programs (what does this include?) for the purpose of traveling animal displays; (is this circuses, large mammal displays/exhibits/shows such as Walk on the Wild Side??)

Ms. Merems offered a suggestion to limit the rodeo and FFA-sponsored events to using only livestock and domestic animals only. That change would look like this:

- (b) Any licensed, certified or accredited academic, research, education or medical institution, the USDA Cooperative Extension Service, OSU Extension Service 4-H and its sanctioned events, and any institution dedicated to the training of service or assistance animals, but excluding wild animal training programs, as defined as circuses or large mammal traveling shows, for the purpose of traveling animal displays;

(c) Community rodeos conforming to NPRA (Northwest Professional Rodeo Association) and other nationally recognized PRA animal welfare rules and FFA-sponsored events. This exemption applies to activities using livestock and domestic animals only. NOTE: Considering the list of “undesirable animals” in the ordinance already includes domesticated/domestic animals such as camels, we are not sure what “livestock” means in this instance. Skunks were also on the list and they live here in the US and are domestic and can wander onto county grounds at any time. Not sure what “Conforming” means, there are other professional rodeo accreditations, and this ordinance modification does not include American Associations of Zoos and Aquariums. Also, what if a wild mustang is adopted, broke and “domesticated” does this count as domestic? Wild horses have to be adopted in order to prevent their being put down, and many farm families adopt and train them as working farm animals. What does domestic mean by this term? It is vague and this last part only makes this ordinance subject to potentially the whim of law enforcement or animal control, and makes it difficult to know what to, and when to enforce. Unless these terms are identified, this creates a problem. This only further hampers activities, including rentals, at the fairgrounds. What about IMPRA vs NPRA which are likely the same, but this distinction may be an additional LOOPHOLE that PETA is looking for.

This ordinance needs to be repealed, but it likely will not be at this time. We resent that all the efforts we made as a board have not, and are not addressed, however it seems to be unbalanced in the fact that they will accommodate one activist or activist group over the residents and citizens of all of Benton County, which includes citizens living outside the City of Corvallis.

The revision places the community rodeo and FFA-sponsored events in its own subsection and provides the second sentence clarification.

The Board has asked that you present this change to the Fair Board to get its feedback. (We are again providing feedback, which went unheard on several occasions, and want to point out that the process of approving this ordinance has not exactly been transparent to all concerned parties.) The tentative plan is to present the ch. 9 changes to the BOC in a public hearing on Dec. 5. Please let me know what the Fair Board has to say about these edits and I will share that with the Board. I will leave it to you to put this together for another agenda checklist, ordinance and Ex. A (BCC ch. 9 in redline format) to Board’s staff for the Dec. hearing.

Thanks. Vance.

Sincerely, representing our collective of the Fair Board

Trudy K. Overlin, Chair
BC Event Center and Fairgrounds Fair Board



Trudy Overlin
Compliance Manager
email: toverlin@nuscalepower.com
web: www.nuscalepower.com
office: 541.360.0725

The contents of this email are intended only for the person to whom it is addressed. If you received it by mistake, please inform me by reply email and then delete the message and any attachments. This email may contain proprietary, confidential and/or privileged material, which doesn't change if it is sent to an unintended recipient. Unless you have my consent, please do not copy, forward, or reveal the contents of this email to anyone.

BAN ON THE USE OF WILD OR EXOTIC ANIMALS IN TRAVELING ANIMAL DISPLAYS AND/OR ACTS

9.805 DEFINITIONS. As used in BCC Chapter 9, Section 8:

- (1) **Animal Display** means any exhibition, fair, act, circus, ride, trade show, carnival, race, parade, or similar undertaking in which a wild or exotic animal is required to perform tricks, give rides, fight or participate as accompaniments for the purpose of entertainment, amusement, or benefit of a live audience, whether or not a fee is charged.
- (2) **Mobile or Traveling Housing Facility** means any transporting vehicle such as a truck, trailer or railway car, used to transport or house wild or exotic animals while traveling for an animal display.
- (3) **Traveling Animal Display** means any animal display in which wild or exotic animals are transported to, from or in between locations in a mobile or traveling housing facility, for the purpose of such animal display. This shall not include the transportation of a wild or exotic animal between United States Department of Agriculture licensed sanctuaries and zoos for the purpose of providing lifetime care.
- (4) **Wild or Exotic Animal** means any live animal from any of the following scientific classifications, including any hybrid of such animal. The animals listed in parentheses are intended as examples and not to be construed as an exhaustive list, or limit the generality of each group of animals, unless otherwise specified:
 - (a) Artiodactyla (including hippopotamuses, giraffes, camels, but excepting alpaca, cattle, llama, swine, sheep, and goats);
 - (b) Crocodylia (including alligators and crocodiles);
 - (c) Elasmobranchii (including nurse sharks and lemon sharks);
 - (d) Elephantidae (elephants);
 - (e) Felidae (including tigers, lions, jaguars, leopards, cheetahs, and cougars, but excluding domestic cats);
 - (f) Hyaenidae (hyenas);
 - (g) Marsupialia (including kangaroos);
 - (h) Non-human primates (including apes, monkeys, and lemurs);
 - (i) Perissodactyla (including rhinoceroses, tapirs, and zebras);
 - (j) Pinnipedia (including seals, sea lions, and walruses);
 - (k) Struthio (ostriches); and

Exhibit "A"

Benton County Code Chapter 9.805 shall be amended as follows:

9.805 DEFINITIONS. As used in BCC Chapter 9, Section 8:

- (1) **Animal Display** means any exhibition, fair, act, circus, ride, trade show, carnival, race, parade, or similar undertaking in which a wild or exotic animal is required to perform tricks, give rides, ~~fight~~ or participate as accompaniments for the purpose of entertainment, amusement, or benefit of a live audience, whether or not a fee is charged.
- (2) **Mobile or Traveling Housing Facility** means any transporting vehicle such as a truck, ~~trailer~~ or railway car, used to transport or house wild or exotic animals while traveling for an animal display.
- (3) **Traveling Animal Display** means any animal display in which wild or exotic animals are transported to, from or in between locations in a mobile or traveling housing facility, for the purpose of such animal display. This shall not include the transportation of a wild or exotic animal between United States Department of Agriculture licensed sanctuaries and zoos for the purpose of providing lifetime care.
- (4) **Wild or Exotic Animal** means any live animals ~~listed below from any of the following scientific classifications~~, including any hybrid of such animal. ~~The animals listed in parentheses are intended as examples and not to be construed as an exhaustive list, or limit the generality of each group of animals, unless otherwise specified:~~
 - (a) Hippopotamuses, giraffes, camels, deer, antelope, and chevrotains;
 - (b) Alligators, crocodiles and camans;
 - ~~(a)~~(c) Sharks, skates, and rays
 - (d) Elephants;
 - (e) Tigers, lions, jaguars, leopards, panthers, cheetahs, cougars, lynx, bobcat, ocelot, margay, Fisher cats, and European wild cats but excluding domestic cats;
 - (f) Hyenas;
 - (g) Kangaroos, koalas, wombats, wallabies, opossums and gliders;
 - (h) Apes, monkeys, lemurs, gorillas, chimpanzees, orangutans, bonobos;
 - (i) Rhinoceroses, tapirs and zebras;
 - (j) Seals, sea lions, and walruses;
 - (k) Ostriches and emus;

- (l) Ursidae (bears).
- (m) Canidae (including wolves, coyotes, foxes, except domestic dogs)
- (n) Cetacea (including whales, dolphins, porpoises)
- (o) Edentata (including anteaters, sloths, armadillo)
- (p) Mustelidae (including skunks, weasels, mink, badgers, river otters, sea otters)
- (q) Procyonidae (including raccoons, coatis, kinkajous, ringtails)
- (r) Testudinidae (tortoise)
- (s) Viverridae (including civets, mongooses, bearcat)
- (t) Varanidae (monitor lizards, Komodo dragons) [Ord. 2018-0290]

- ~~(l) Bears;~~
- ~~(m) Wolves, coyotes, foxes, African wild dogs and jackals except domestic dogs and their hybrids;~~
- ~~(n) Whales, dolphins, and porpoises;~~
- ~~(o) Anteaters, sloths, and armadillos;~~
- ~~(p) Skunks, weasels, martens, mink, badgers, river otters, and sea otter;~~
- ~~(q) Raccoons, coatis, kinkajous, ringtails, cacomistles and olingos;~~
- ~~(r) Tortoises;~~
- ~~(s) Civets, mongooses, bearcats and genets; and~~
- ~~(t) Monitor lizards, Komodo dragons. [Ord. 2023 _____; 2018 0290]~~
- ~~(a) Artiodactyla (including hippopotamuses, giraffes, camels, but excepting alpaca, cattle, llama, swine, sheep, and goats);~~
- ~~(b) Crocodilia (including alligators and crocodiles);~~
- ~~(c) Elasmobranchii (including nurse sharks and lemon sharks);~~
- ~~(d) Elephantidae (elephants);~~
- ~~(e) Felidae (including tigers, lions, jaguars, leopards, cheetahs, and cougars, but excluding domestic cats);~~
- ~~(f) Hyaenidae (hyenas);~~
- ~~(g) Marsupialia (including kangaroos);~~
- ~~(h) Non human primates (including apes, monkeys, and lemurs);~~
- ~~(i) Perissodactyla (including rhinoceroses and tapirs, but excluding Equidae);~~
- ~~(j) Pinnipedia (including seals, sea lions, and walruses);~~
- ~~(k) Struthio (ostriches); and~~
- ~~(l) Ursidae (bears).~~
- ~~(m) Canidae (including wolves, coyotes, foxes, except domestic dogs)~~
- ~~(n) Cetacea (including whales, dolphins, porpoises)~~
- ~~(o) Edentata (including anteaters, sloths, armadillo)~~

PROHIBITIONS

9.810 Prohibitions.

- (1) It shall be unlawful for any person to allow for the participation of a wild or exotic animal in a traveling animal display.
- (2) The following facilities, institutions, persons, entities, associations and government agencies are exempt from compliance with BCC 9.810(1):

(a) Any facility accredited by the Association of Zoos and Aquariums (AZA), World Association of Zoos and Aquariums (WAZA), Oregon Wildlife Rehabilitation Association (OWRA), the National Wildlife Rehabilitation Association (NWRA), International Association of Avian Trainers and Educators (IAATE) or the International Wildlife Rehabilitation Council (IWRC);

(b) Any licensed or accredited academic, research or medical institution, including any such institution dedicated to the training of service animals, but excluding wild animal training programs for the purpose of traveling animal displays;

(c) Veterinary clinics or wildlife rescue and rehabilitation facilities, which are licensed or permitted by the state of Oregon;

(d) Persons temporarily transporting wild or exotic animals through the county provided that the transit time shall not be more than three days and that such animals shall not be presented for animal displays while in the county;

- ~~(p) Mustelidae (including skunks, weasels, mink, badgers, river otters, sea otters)~~
- ~~(q) Procyonidae (including raccoons, coatis, kinkajous, ringtaile)~~
- ~~(r) Testudinidae (tortoise)~~
- ~~(s) Viverridae (including civets, mongooses, bearcat)~~
- ~~(t) Varanidae (monitor lizards, Komodo dragons) [Ord 2018-0200]~~

Benton County Code Ch. 9.810 shall be amended as follows:

9.810 Prohibitions.

- (1) It shall be unlawful for any person to allow for the participation of ~~an wild or exotic~~ animal listed in Section 9.805(4) in a traveling animal display.
- (2) The following facilities, institutions, persons, entities, associations and government agencies are exempt from compliance with BCC 9.810(1):

(a) Any facility accredited by the Association of Zoos and Aquariums (AZA), World Association of Zoos and Aquariums (WAZA), ~~Oregon Wildlife Rehabilitation Association (OWRA), the National Wildlife Rehabilitation Association (NWRA), International Association of Avian Trainers and Educators (IAATE) or the International Wildlife Rehabilitation Council (IWRC);~~

~~(b) Any licensed or accredited academic, research, education or medical institution, the USDA Cooperative Extension Service, OSU Extension Service 4 H and its sanctioned events, community rodeos conforming to NPRA (Northwest Professional Rodeo Association) animal welfare rules and FFA-sponsored events and including any such institution dedicated to the training of service or assistance animals, but excluding wild animal training programs for the purpose of traveling animal displays;~~

(b) Veterinary clinics or wildlife rescue and rehabilitation facilities, which are licensed or permitted by the state of Oregon;

(c) Any licensed or accredited academic, research, education or medical institution, the USDA Cooperative Extension Service, OSU Extension Service 4-H and its sanctioned events, and any institution dedicated to the training of service or assistance animals, but excluding wild animal training programs for the purpose of traveling animal displays;

(d) Community rodeos conforming to NPRA (Northwest Professional Rodeo Association) animal welfare rules and FFA-sponsored events. This exemption applies to activities using animals not listed in 9.805(4).

(e) Persons owning or keeping a trained exotic primate as a service animal pursuant to ORS 609.345.

(f) The employee or contractor of a filmmaker (as defined in ORS 284.368) for the purposes of producing a film (as defined in ORS 284.368). [Ord. 2018-0290]

(e) Persons temporarily transporting ~~wild or exotic~~ animals listed in Section 9.805(4) through the county, provided that the transit time shall not be more than three days, and that such animals shall not be presented for animal displays while in the county;

(f) Persons owning or keeping a trained exotic primate as a service animal pursuant to ORS 609.345.

(g) The employee or contractor of a filmmaker (as defined in ORS 284.368) for the purposes of producing a film (as defined in ORS 284.368).

(h) Animals not listed in Section 9.805(4) may be prohibited or restricted by state law or regulation. [Ord. ~~2023-0322~~; 2018-0290]

NEW BUSINESS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 12/19/23

View [Agenda Tracker](#)

Suggested Placement * Work Session

Department * Records & Elections

Contact Name * James V. Morales

Phone Extension * 6832

Meeting Attendee Name * James V. Morales

Agenda Item Details

Item Title * Appointed Board Name and Term Change

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 By-Laws revised BOPTA to PVAB name and One to Two Year term changes

Estimated Time * 10-15 minutes

Board/Committee Involvement * Yes
 No

**Name of
Board/Committee**

Board of Property Tax Appeals

Advertisement*

- Yes
 No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues*

In accordance with statutory changes adopted by the 2023 Oregon Legislature via HB 2031 and HB 2237, the board name and appointment terms are being revised in the By-Laws for this board to reflect the statute changes, now in effect. Changing the board name from Board of Property Tax Appeals to Property Value Appeal Board and adopting a two-year term for appointed members.

Options*

1. Adopt the By-Law revisions as presented.
2. Request additional revisions prior to adoption.
3. Leave the By-Laws unchanged.

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.
Serve as a neutral third party in the conduct Property Value Appeal hearings in response to a property owner petition submissions received appealing the County Assessor's appraisal regarding the subject property.

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* All property owners are entitled to a fair hearing regarding the value that has been determined by the county's assessment and appraisal team.

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 process to insure fair and accurate appraisals serves to complement a vibrant local economy and access to housing.

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations * 1. Adopt revisions to the BOPTA By-Laws to reflect the new board name and term changes in accordance with the changes adopted in the governing statutes by the 2023 Oregon Legislature.

Work Session Motions * I move to ...
...adopt revisions to the Board of Property Tax Appeals By-Laws to reflect the name change from the Board of Property Tax Appeals to the Property Value Appeal Board and to increase the term served by appointed board members from a one-year to a two-year term, in accordance with the statutory changes adopted by the 2023 Oregon Legislature in House Bills HB 2031 and HB 2237.

Meeting Motion

I move to adopt revisions to the Board of Property Tax Appeals By-Laws to reflect the name change from the Board of Property Tax Appeals to the Property Value Appeal Board and to increase the term served by appointed board members from a one-year to a two-year term, in accordance with the statutory changes adopted by the 2023 Oregon Legislature in House Bills HB 2031 and HB 2237.

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.

2023-PVAB Bylaws REDLINED.docx	22.6KB
2023-PVAB Bylaws 231219.docx	27.66KB
BOPTA By-Laws Name and Term Change - 231219 - Order #D2023-100.docx	22.5KB

Comments (optional) The documents were produced for the December 19th meeting, but, we can revise for a later date if helpful.

Thank you

If you have any questions, please call ext.6800

**Department
Approver**

JAMES MORALES

1.

Department Approval

Comments

Signature

James V. Morales

2.

Counsel Approval

Comments

Signature

Vance H. Choney

3.

County Administrator Approval

Comments

Signature

Rachel L. McEneny

4.

BOC Final Approval

Comments

Signature

Aranda Makepeace

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

**In the Matter of By-Law Revisions Reflecting)
the Board of Property Tax Appeals Name) Order #D2023-100
Term Changes)**

Pursuant to statutory revisions adopted by the 2023 Oregon Legislature in House Bills HB 2031 and HB 2237 the Board of Commissioner’s appointed board, known as the Board of Property Tax Appeals for Benton County, is to be renamed the Property Value Appeals Board effective immediately in 2024.

The term served by Property Value Appeals Board members will transition from one-year terms to two-years following the initial staggering of board member terms in 2024.

The Property Value Appeals Board will perform all statutory functions previously assigned to the Board of Property Tax Appeals.

NOW THEREFORE be it resolved and pursuant to the 2023 Oregon Legislature passage of House Bills HB 2031 and HB 2237 the related revisions to By-Laws for the Property Value Appeals Board are hereby adopted and made part of the Benton County Court Journal.

Adopted this 19th day of December, 2023.

Signed this 19th day of December, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xan Augerot, Vice Chair

Nancy Wyse, Commissioner

**BYLAWS
PROPERTY VALUE APPEALS BOARD**

**ARTICLE 1
Name**

The name of this organization shall be the Benton County Property Value Appeals Board (PVAB).

**ARTICLE 2
Function**

PVAB shall have the following powers and duties:

- (1) Hear petitions for reduction of assessed value, specially assessed value, real market value, maximum assessed value, and corrections to value; and
- (2) Hear petitions for waiver of real or personal property penalties.

**ARTICLE 3
Membership**

Section 1. Number and Selection: PVAB shall consist of three members, appointed by the Board of Commissioners as follows:

- One (1) member of the Board of Commissioners or, in the alternative, one nonoffice-holding County resident, who is eligible and willing to serve as a member of the County Property Value Appeals Board;
- Two (2) nonoffice-holding residents of Benton County who are not employees of the County or of any taxing district within the County and who are eligible and willing to serve as members of the County Property Value Appeals Board.

Additionally, from the pool of potential members established under ORS 309.067, the Board of Commissioners may appoint one person to sit as an alternate for any member of PVAB.

Section 2. Terms of Office: Terms shall be two (2) years. Any member may serve two (2) successive terms if reappointed by the Board of Commissioners. Members may not serve more than two (2) successive terms; partial terms shall not be counted toward the successive term limit. Terms begin on July 1 and end on June 30. Terms shall be staggered.

Section 3. Responsibilities: Members shall regularly attend meetings of PVAB and shall fulfill other duties.

Section 4. Termination of Membership: The Board of Commissioners may remove PVAB members as follows:

- (1) Failure to attend three or more consecutive regular PVAB meetings.
- (2) For cause following public hearing, for reasons including, but not limited to:

- (a) Commission of a felony;
 - (b) Corruptness;
 - (c) Intentional violation of open meetings law;
 - (d) Failure to declare conflict of interest;
 - (e) Incompetence.
- (3) Without cause pursuant to Benton County Code Chapter 3.035.

ARTICLE 4 Officers

Section 1. Chair: The member of the Board of Commissioners, or his/her designate, sitting on PVAB shall be Chair of PVAB or the Chair may be designated as otherwise allowed in statute. The Chair shall have the responsibility of conducting all meetings and hearings in an orderly manner. The Chair may not initiate a motion, but may second, and shall vote on each issue after the question is called.

ARTICLE 5 Appraiser

PVAB may hire one or more appraisers registered under ORS 308.010, or licensed or certified under ORS 674.310, and not otherwise employed by the County, and other necessary personnel for the purpose of aiding PVAB in carrying out its functions and duties under ORS 309.026.

ARTICLE 6 Meetings

Section 1. Regular Meetings: PVAB shall convene on/or after the first Monday in February of each year, but not later than the date necessary for PVAB to complete its functions by April 15. The sessions shall continue from day to day, exclusive of legal holidays, until the functions provided for in Article 2 are completed, which shall not be later than April 15.

Section 2. Quorum: A simple majority of the membership shall constitute a quorum. All business conducted with a majority vote of the quorum shall stand as the official action of PVAB.

Section 3. Staffing: Staff for recording the proceedings of PVAB shall be provided by the Records and Elections Department.

Section 4. Notice: PVAB shall meet at the Kalapuya Building. If the meeting place is other than the Kalapuya Building, notice of the meeting place shall be posted daily in the Kalapuya Building.

Section 5. Minutes: Minutes recording all motions and subsequent actions shall be taken. In addition, all conflicts of interest shall be noted. Minutes of all meetings shall be maintained by the Records and Elections Department.

ARTICLE 7
Public Records and Meeting Law

PVAB is a public body for the purposes of ORS Chapter 192 and is subject to the statutory procedures related to public records and meetings.

ARTICLE 8
Parliamentary Procedure

The current edition of Robert's Rules of Order shall govern PVAB where not inconsistent with state law, these bylaws, or any special rules of order PVAB shall adopt.

ARTICLE 9
Conflict of Interest

A conflict of interest shall be declared by any member who has a conflict of interest as defined by Oregon law prior to taking any action on the matter causing the conflict.

ARTICLE 10
Bylaw Amendments

These bylaws may be amended by the Board of Commissioners upon its own motion. Prior to an amendment, the Board of Commissioners may request a recommendation from PVAB which may recommend changes at any regular meeting of PVAB by a two-thirds vote of the membership, provided that the recommended amendment has been submitted in writing to PVAB members no later than three days before the regular meeting.

Adopted this 19th day of December, 2023.

Signed this 19th day of December, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner

BY-LAWS
BOARD OF PROPERTY TAX APPEALSPROPERTY VALUE APPEALS BOARD

ARTICLE 1

Name

The name of this organization shall be the Benton County ~~Board of Property Tax Appeals~~Property Value Appeals Board (BOPTAPVAB).

ARTICLE 2

Function

BOPTAPVAB shall have the following powers and duties:

- (1) Hear petitions for reduction of assessed value, specially assessed value, real market value, maximum assessed value, and corrections to value; and
- (2) Hear petitions for waiver of real or personal property penalties.

ARTICLE 3

Membership

Section 1. Number and Selection: BOPTAPVAB shall consist of three members, appointed by the Board of Commissioners as follows:

- One (1) member of the Board of Commissioners or, in the alternative, one nonoffice-holding County resident, who is eligible and willing to serve as a member of the County ~~Board of Property Tax Appeals~~Property Value Appeals Board;
- Two (2) nonoffice-holding residents of Benton County who are not employees of the County or of any taxing district within the County and who are eligible and willing to serve as members of the County ~~Board of Property Tax Appeals~~Property Value Appeals Board.

Additionally, from the pool of potential members established under ORS 309.067, the Board of Commissioners may appoint one person to sit as an alternate for any member of BOPTAPVAB.

Section 2. Terms of Office: ~~Terms shall begin on the date of appointment and shall end on June 30 next following appointment or when the member resigns or is replaced, whichever occurs first. Any member may serve successive terms if reappointed. Terms shall be two (2) years. Terms begin on July 1 and end on June 30. Terms shall be staggered.~~

Section 3. Responsibilities: Members shall regularly attend meetings of BOPTAPVAB, and shall fulfill other duties.

Section 4. Termination of Membership: The Board of Commissioners may remove BOPTAPVAB members as follows:

- (1) Failure to attend three or more consecutive regular BOPTAPVAB meetings.
- (2) For cause following public hearing, for reasons including, but not limited to:
 - (a) Commission of a felony;
 - (b) Corruptness;
 - (c) Intentional violation of open meetings law;
 - (d) Failure to declare conflict of interest;
 - (e) Incompetence.
- (3) Without cause pursuant to Benton County Code Chapter 3.035.

ARTICLE 4 Officers

Section 1. Chair: The member of the Board of Commissioners, or his/her designate, sitting on BOPTAPVAB shall be Chair of BOPTAPVAB or the Chair may be designated as otherwise allowed in statute. The Chair shall have the responsibility of conducting all meetings and hearings in an orderly manner. The Chair may not initiate a motion, but may second, and shall vote on each issue after the question is called.

ARTICLE 5 Appraiser

BOPTAPVAB may hire one or more appraisers registered under ORS 308.010, or licensed or certified under ORS 674.310, and not otherwise employed by the County, and other necessary personnel for the purpose of aiding BOPTAPVAB in carrying out its functions and duties under ORS 309.026.

ARTICLE 6 Meetings

Section 1. Regular Meetings: BOPTAPVAB shall convene on/or after the first Monday in February of each year, but not later than the date necessary for BOPTAPVAB to complete its functions by April 15. The sessions shall continue from day to day, exclusive of legal holidays, until the functions provided for in Article 2 are completed, which shall not be later than April 15.

Section 2. Quorum: A simple majority of the membership shall constitute a quorum. All business conducted with a majority vote of the quorum shall stand as the official action of BOPTAPVAB.

Section 3. Staffing: Staff for recording the proceedings of BOPTAPVAB shall be provided by the Records and Elections Department.

Section 4. Notice: BOPTAPVAB shall meet at the ~~courthouse or courthouse annex~~ Kalapuya Building. If the meeting place is other than the ~~courthouse or annex~~ Kalapuya Building, notice of the meeting place shall be posted daily in the ~~courthouse~~ Kalapuya Building.

Section 5. Minutes: Minutes recording all motions and subsequent actions shall be taken. In addition, all conflicts of interest shall be noted. Minutes of all meetings shall be maintained by the Records and Elections Department.

ARTICLE 7
Public Records and Meeting Law

BOPTAPVAB is a public body for the purposes of ORS Chapter 192, and is subject to the statutory procedures related to public records and meetings.

ARTICLE 8
Parliamentary Procedure

The current edition of Robert's Rules of Order shall govern BOPTAPVAB where not inconsistent with state law, these by-laws or any special rules of order BOPTAPVAB shall adopt.

ARTICLE 9
Conflict of Interest

A conflict of interest shall be declared by any member who has a conflict of interest as defined by Oregon law prior to taking any action on the matter causing the conflict.

ARTICLE 10
By-Law Amendments

These by-laws may be amended by the Board of Commissioners upon its own motion. Prior to an amendment, the Board of Commissioners may request a recommendation from BOPTAPVAB which may recommend changes at any regular meeting of BOPTAPVAB by a two-thirds vote of the membership, provided that the recommended amendment has been submitted in writing to BOPTAPVAB members no later than three days before the regular meeting.

Adopted this 19th day of December, 2023.

Signed this 19th day of December, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Commissioner

Nancy Wyse, Commissioner

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

**A Resolution in Support of Establishing a)
Continuum of Care for the Linn, Benton,)
and Lincoln Counties Region and) Resolution No. R2023-028
Registering with the United States)
Department of Housing and Urban)
Development in 2024)**

WHEREAS, homelessness is a critical issue in the tri-county region of Linn, Benton, and Lincoln Counties; in Oregon; and across the nation; and

WHEREAS, children, families, veterans, and chronically homeless individuals experiencing mental illness and addictions comprise a large portion of the region's homeless population; and

WHEREAS, the United States Department of Housing and Urban Development created the Continuum of Care program in 1994 as a means for communities across the nation to "engage in multi-year strategic planning for homeless programs and services that are well integrated with planning for mainstream services"; mainstream services denoting public housing, Section 8 housing choice vouchers, and services for runaway and homeless youth, victims of domestic violence, veterans, seniors, and people experiencing addictions and/or mental illness; and

WHEREAS, Linn, Benton, and Lincoln Counties are part of a "balance of state" Rural Oregon Continuum of Care; and

WHEREAS, the Benton County carefully considered relevant factors and determined that the region could benefit from creating its own Continuum of Care, with enhanced service coordination, local autonomy, and alignment of goals to more effectively reduce homelessness in the region;

NOW-THEREFORE, BE IT RESOLVED that Benton County supports establishing a Continuum of Care for the Linn, Benton, and Lincoln County region and supports the new Continuum of Care registering with the United States Department of Housing and Urban Development in 2024.

Adopted this 19th day of December, 2023.

Signed this 19th day of December, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner