



Board of Commissioners
 Office: (541) 766-6800
 Fax: (541) 766-6893
 4500 SW Research Way
 Corvallis, OR 97333
 bentoncountyor.gov

AGENDA

(Chair May Alter the Agenda)

BENTON COUNTY BOARD OF COMMISSIONERS

Tuesday, February 20, 2024, 9 AM

How to Participate in the Board of Commissioners Meeting

In-Person	Zoom Video	Zoom Phone Audio	Facebook LiveStream
Kalapuya Building 4500 SW Research Way Corvallis, OR	<u>Click for Zoom link</u>	Dial 1(253) 215-8782	<u>Click for Facebook LiveStream link</u>
	Zoom Meeting ID: 865 0757 9359		
	Zoom Passcode: 374319		

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 by contacting the Board of Commissioners Office at 541-766-6800 or 800-735-2900 TTY, by email bocinfo@bentoncountyor.gov, or on the County’s website at <https://boc.bentoncountyor.gov/contact/>.

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.

1. Opening

- 1.1 Call to Order
- 1.2 Introductions
- 1.3 Announcements

2. Review and Approve Agenda

3. Proclamation

- 3.1 15 minutes – Proclaiming February 20, 2024 as Benton County’s Day of Remembrance of Japanese Americans Incarcerated During World War II, Proclamation P2024-002 – Dr. Janet Nishihara, Oregon State University; Jessica Hougén and Terri Thomas, Benton County Historical Society

4. Comments from the Public

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

5. Work Session

- 5.1 10 minutes – Monthly Public Health Update – April Holland, Health Services
- 5.2 10 minutes – Quarterly Floodplain Program Updates – Toby Lewis, Community Development

6. Consent Calendar

- 6.1 Approval of the December 19, 2023 Tuesday Board Meeting Minutes

Public Hearings

(Hearings are heard at 11:00 AM 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 45 minutes – Public Hearing Regarding Solid Waste Collection: Annual Rate Increase Request, Order #D2024-027 – Darren Nichols, Community Development; Julie Jackson, Republic Services

8. New Business

- 8.1 15 minutes – Request for Approval to Apply for the US Fish and Wildlife Service Section 6 Endangered Species Act Grant – Jesse Ott, Adam Stebbins; Natural Areas, Parks, and Events
- 8.2 15 minutes – Acceptance of Easements for the Corvallis to Albany Path: Pilkington to Merloy Avenue – Laurel Byer, Public Works

9. 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.”

PROCLAMATION



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

**In the Matter of Proclaiming February 20th as)
The Day of Remembrance of Japanese) Proclamation No. P2024-002
Americans Incarcerated During WWII)**

Eighty-two years ago, on February 19, 1942, President Franklin D. Roosevelt signed Executive Order 9066, which would strip people of Japanese descent, including Japanese Americans who were born here, of their liberty. The signing of this order followed the attack on Pearl Harbor and the United States’ declaration of war against Japan. This Executive Order authorized the forced removal and incarceration of Japanese Americans living along the West Coast. The actions carried out because of this executive order by our federal government led to extreme consequences for Japanese-descended residents and left a stain on our collective history and self-identification as a land of the free.

Today, we at Benton County acknowledge the unjust incarceration and harm done to the 120,000 Japanese Americans, two-thirds of whom were born in the United States, and 110,000 of whom lived here on the West Coast. The majority of Japanese Americans living in our County during this time were students at Oregon State University. Within four days of the attack on Pearl Harbor, a group of 36 of these students wrote a letter to the school president expressing their “...unswerving loyalty to our country, the United States of America, and to all her institutions.”

Before the attack on Pearl Harbor, approximately 5,000 Japanese Americans were serving in the U.S. Army, in large part through the draft. In the months following the attack, many of the units that were majority Japanese American were abruptly disbanded or reassigned to menial tasks. In early 1942, first-generation Japanese Americans were deemed ‘...not acceptable to the armed forces because of nationality or ancestry.’

Due to several political factors, in February 1943, the President announced the formation of the 442nd Regimental Combat Team, an all-Japanese American unit with white officers. The 442nd would go on to become, for its size and length of service, the most decorated unit in U.S. military history.

One of the temporary locations that incarcerated Japanese residents was the Portland Assembly Center, which housed around 3,600 people. This center existed for four months, and by September of 1942 a total of 10 permanent concentration camps were completed and built in isolated desert areas from California to Arkansas. Those who were interned at the Portland Assembly Center were moved by train to Minidoka Camp near Twin Falls, Idaho, and Japanese Oregonians from Pinedale went to Tule Lake in Northern California. The camps had barracks that were 20 feet by 100 feet, divided into five or six one-room sections. Each room had an army cot, a potbelly stove, and a single light bulb, and housed an entire family. Families were only able to bring what they could carry, and residents built the rest of the furniture and amenities they needed to survive from scrap lumber and leftover building materials.

Despite the conditions in which they lived, Japanese Americans were resourceful and stood up systems and structures that continued to bring their community together. During this time, they created their own churches, post offices, security departments, fire brigades, and recreational and educational activities for the many children in the camps. While all of these activities and internal structures were built by the incarcerated Japanese residents, they were still surrounded by armed guards and barbed wire, which were constant reminders of the denial of their civil rights.

Japanese Americans have significantly contributed to our County and state, economically and culturally. Between 1890 and 1942, there was an area in Portland called Japantown. Japanese agricultural communities developed in rural areas across our state; and by 1923, 60% of Oregon's Japanese population was involved in agricultural work. During this period, thousands of Japanese laborers worked throughout our state. At this point, the County's population consisted of 4,642 or 5.4% Asian and Pacific Islander community members. While this is not an exact number of Japanese Americans or descendants living here, it gives us an idea of the growth and contribution this community has continuously made to our vibrant community.

THEREFORE, BE IT PROCLAIMED that February 19 is designated as the National Day and February 20 is recognized as the Benton County Day of Remembrance of Japanese Americans Incarcerated During World War II in Benton County. All community members are urged to participate in this observance.

Adopted this 20th day of February 2024.

Signed this 20th day of February 2024.

BENTON COUNTY BOARD OF COMMISSIONERS

Xanthippe Augerot, Chair

Nancy Wyse, Vice Chair

Pat Malone, Commissioner

WORK SESSION

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 02/20/24

View [Agenda Tracker](#)

Suggested Placement * Work Session

Department * Community Development

Contact Name * Toby Lewis

Phone Extension * 6296

Meeting Attendee Name * Toby Lewis

Agenda Item Details 

Item Title * Quarterly Floodplain Program Updates

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 * 10 minutes

Board/Committee Involvement * Yes No

Advertisement*

- Yes
 No

Issues and Fiscal Impact

Item Issues and Description

**Identified Salient
Issues ***

Provide floodplain program updates to the Board regarding:

- Integration of National Flood Insurance Program and Endangered Species Act – Status of FEMA Environmental Impact Statement (EIS) Process
- Marys River Gage - Status of gage operation
- Community Rating System Annual Recertification of Benton County Floodplain Program – Status of Submittal
- Annual winter floodplain outreach – Mailed to Benton County property owners

Options *

This item does not require Board action.

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*

Continued implementation of Benton County's floodplain program ensures safe and resilient development and construction methods when occurring in flood hazard areas, reduces risks to life and structures by encouraging development to occur outside of high flood risk areas, and encourages healthy interactions between humans and the environment.

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*

Minimization of structural development within mapped flood hazard areas improves community safety and emergency preparedness, preserves natural habitat for healthy environmental function and community enjoyment, and maintains open spaces within floodplains for continued agricultural production.

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations* Staff does not recommend making any program changes at this time.

Work Session Motions* I move to ...
[This item does not require Board action.]

Staff Recommendation

Staff does not recommend making any program changes at this time.

Meeting Motion

I move to ...

[This item does not require Board action.]

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.



2024-02-20_Floodplain Program Updates.pptx 4.68MB

Comments (optional)

If you have any questions, please call ext.6800

Department Approver

DARREN NICHOLS

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

FLOODPLAIN PROGRAM UPDATES

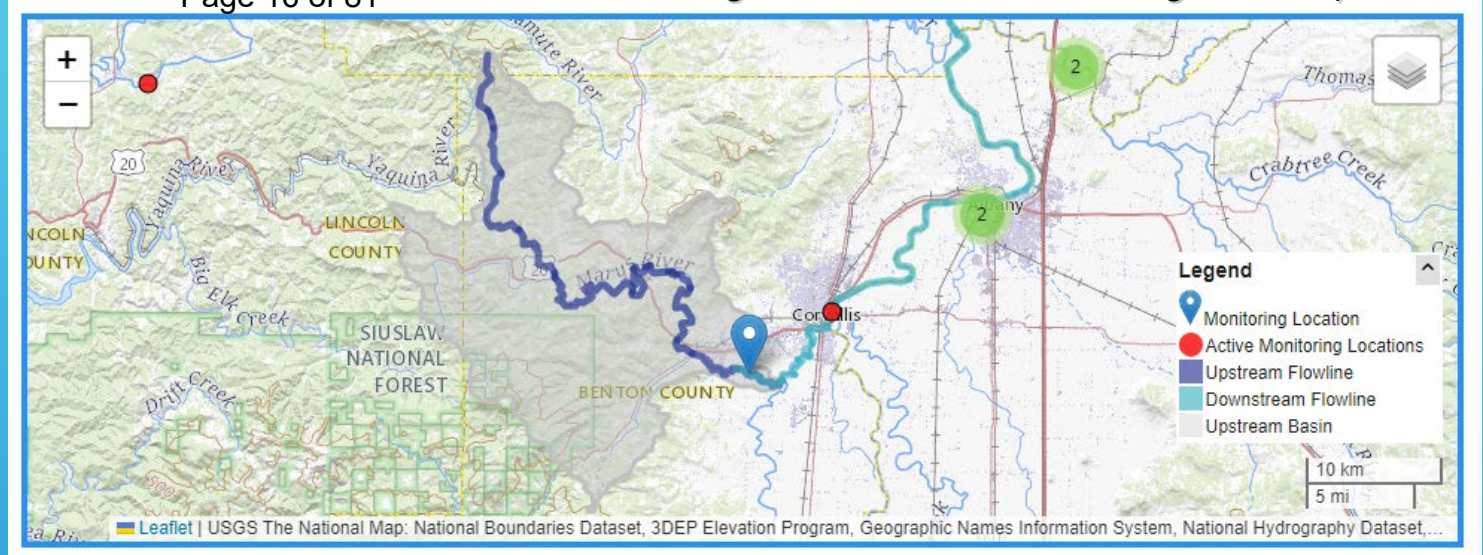
- ▶ Integration of National Flood Insurance Program & Endangered Species Act
- ▶ Marys River Gage
- ▶ Community Rating System - Annual Recertification of Benton County Floodplain Program
- ▶ Annual Winter Floodplain Outreach

NATIONAL FLOOD INSURANCE PROGRAM & ENDANGERED SPECIES ACT

Cooperating Agencies



MARYS RIVER GAGE



Photos from National Weather Service website

COMMUNITY RATING SYSTEM RE-CERTIFICATION APPROVED



OMB No. 1660-0022
Expires: March 31, 2020

National Flood Insurance Program
Community Rating System

Coordinator's Manual

FIA-15/2017



WINTER FLOODPLAIN OUTREACH



CONSENT CALENDAR

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MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS
Livestream: <http://facebook.com/BentonCoGov>
Tuesday, December 19, 2023
9:00 a.m.

Present: Pat Malone, Chair; Xanthippe Augerot, Commissioner; Nancy Wyse, Commissioner; Vance Croney, County Counsel; Rick Crager, Acting County Administrator

Elected Official: Jef Van Arsdall, Sheriff

Staff: Jenn Ambuehl, Financial Services; Tomi Douglas, Natural Areas, Parks & Events; Cory Grogan, Public Information Officer; Maura Kwiatkowski, Amanda Makepeace, BOC Staff; Sean McGuire, Sustainability; Erika Milo, BOC Recorder; James Morales, Elections and Records; Darren Nichols, Linda Ray, Community Development

Guests: Lorraine Anderson, Bill Gellatly, Sheridan McCarthy, Stanton Nelson, Marge Popp, Richard Weber, Jeff Winkleblack, Mark Yeager, residents; Aaron Fast, Julie Jackson, Kenny Larson, Republic Services; John Harris, Horsepower Productions; Craig Hendrickson, Kristi Schrock, Fair Board

1. Opening:
1. Call to Order

Chair Malone called the meeting to order at 9:03 a.m.

2. Introductions
3. Announcements

No announcements were made.

2. Review and Approve Agenda

A minor change in item 5.2 was noted (see below).

3. *Comments from the Public

Mark Yeager, Benton County resident, read part of his written comment, refuting Nichols' report at the November 28, 2023 Board Meeting, which stated that some Disposal Site Advisory Committee (DSAC) members had threatened violence against staff and other community members. Yeager denied that this had occurred. On November 29, 2023, a former DSAC member submitted comment asking the Board to investigate Nichols' statements, but, according to Yeager, the Board had not done so. Yeager described the conduct of staff and leadership around this matter as obstructive and manipulative, and stated that the Board was misjudging community sentiment about expanding Coffin Butte Landfill (CBL).

{Exhibit 1: Mark Yeager Public Comment}

Marge Popp, City of Corvallis resident, read part of her written comment addressing Nichols' report at the November 28, 2023 Board Meeting, which Popp described as containing sweeping

and derogatory allegations against members of DSAC. Referring to video timestamps from the meeting, Popp quoted Nichols as saying that some DSAC members had created an unsafe workspace, dangerously misled the public, wasted public resources, and contributed to bullying, disinformation, threats of violence, and a chronic lack of progress. Popp denied these statements and asked for details and examples. Popp stated that Nichols had mischaracterized the event when a member of the public threatened County staff with gun violence. Popp quoted the investigator, Corvallis Police Officer Rhoda Krause, as concluding in the report that she “did not develop probable cause to believe a crime occurred.”

{Exhibit 2: Marge Popp Public Comment}

Bill Gellatly, Corvallis resident, read part of his written comment, expressing concerns that Nichols had used descriptions of DSAC members’ behavior as a reason to suspend DSAC. There are still issues with workplace safety, methane emissions, and capture of run-off water at CBL. Gellatly stated that the root cause of the DSAC situation was overlooked, and asked what broke down regarding the definition of DSAC’s roles, responsibilities, and limitations. Gellatly questioned whether it was appropriate for Nichols to generalize DSAC member behavior in such a strong and biased way, including the debunked charge of a threat of violence by DSAC. The Board is now even further away from satisfactory resolution or completion of DSAC’s charge.

{Exhibit 3: Bill Gellatly Public Comment}

Augerot noted that McEneny is actively reviewing the situation and speaking with DSAC members. Staff are reviewing bylaws for DSAC and other advisory committees because the County recognizes that some of its processes are not clear enough, including roles and responsibilities. This is a pause for DSAC, but there is important work to be done; the County does not discount the importance of methane-related issues, monitoring, and other potential water quality issues at CBL. The County wants to address those issues in the appropriate ways and forums, including DSAC. Augerot urged everyone to be as constructive as possible in order to address the true problems.

Wyse agreed with many of Augerot’s comments. Wyse stated that her goal is to get DSAC back up and running and get the overdue report done. The situation is dysfunctional, and everyone needs to figure out how to make it functional again. Regarding the verbal threat of violence, Wyse emphasized that it is never appropriate for anyone to threaten another person in that way. Wyse declared that she would stand up for staff or anyone against such a threat.

4. Work Session

4.1 Monthly Health Update – April Holland, Health Services

The item was not heard due to staff absence.

5. Consent Calendar

5.1 Reappointments to the Cascades West Area Commission on Transportation 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 & 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 |

Malone noted that item 5.2 had been corrected to indicate an adjournment time of 11:08 a.m.

MOTION: Wyse moved to approve the Consent Calendar of December 19, 2023. Augerot seconded the motion, which **carried 3-0.**

MOTION: Augerot moved to appoint Sharon Thornberry to the Community Services Consortium Community Action Advisory Council. Wyse seconded the motion, which **carried 3-0.**

The next item heard was 7.1.

6. Public Hearings

PH 1 In the Matter of a Public Hearing Regarding Supplemental Budget 240601, Resolution R2023-024 – Jenn Ambuehl, Financial Services

Chair Malone opened the Public Hearing at 11:04 a.m.

Staff Report

Crager presented the first budget supplement for 2023-25. On meeting packet page 35, the Resolution adoption date should read December 19, 2023 not December 5, 2023 as published. Staff request a budget adjustment of \$17.43 million for the biennium. The largest category is non-departmental, related to capital adjustments made in the last budget process. The largest changes at fund level are in Fund 303: Building Development for all capital projects. Changes include:

- \$2.6 million adjustment to Fleet Operations, mainly due to supply chain issues; vehicle orders did not arrive when expected.
- \$2.4 million increase due to an unanticipated Oregon Housing & Community Services grant for rehousing initiatives.

- \$475,00 additional in the Beazell Trust Fund from unanticipated timber harvest. Some funds will be used for maintenance and operating contingency.
- \$100,000 additional from the Corvallis Rural Fire District for rural evacuation routes; the remainder is unspent funds carried over from the previous biennium.
- \$132,000 additional in the General Trust Fund from grants and carryover.
- \$11.6 million in the Capital Fund for the Crisis Center and Emergency Operations Center (EOC) due to cost increases and receipt of additional legislative funds. The total EOC budget is \$8.8 million, and the new Courthouse has a \$76.9 million outlay this biennium. Since the legislature did not provide funds for a Homeless Navigation Center, that amount was removed.

Public Comment

No comment was offered.

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

MOTION: Augerot moved to adopt Resolution R2023-024 in the matter of Supplemental Budget 24061 with the correction of the active date to December 19, 2023. Wyse seconded the motion, which **carried 3-0.**

Crager noted that the next adjustment will be in spring 2024, and will probably be fairly large, since it includes redoing the Community Health Centers.

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

Chair Malone reconvened the November 28, 2023 Public Hearing at 11:12 a.m.

Staff Report

Nichols explained that Solid Waste Coordinator Daniel Redick had resigned. Republic Services (RS) representatives are present, as the Board requested at the first session. Benton County Code (BCC) Chapter 23 includes the process for setting refuse hauling and collection rates. For about the last 10 years, the County operated under a 2013 Board Order, which allowed RS to return with an annual rate increase unilaterally. However, that Order expired on December 31, 2020 with the Board's adoption of a new franchise agreement, putting both parties back under the eight-step rate change process in Chapter 23.5.10. On October 9, 2023, staff received the RS request to increase rates (Attachment 1, packet page 59), then received the suggested rates on October 19, 2023. Chapter 23 requires the hauler to provide that request 90 days before those rates can take effect, and requires the Board to decide at least 30 days before, so if the Board approves today, those dates must be moved to around January 20, 2024. Also, Redick's report noted that the current rate structure includes an incentive that rewards consumers who produce more waste: a 32-gallon refuse cart costs less than 20-gallon cart (a 60% increase in cart volume, but only a 7% increase to the charge). The rate in the 32-gallon cart drops about 33% compared to the 20-gallon cart, from \$2.42 per gallon to \$1.62 per gallon. The County does not want to incentivize production of additional waste.

Augerot noted that under BCC, the County typically receives an RS annual report prior to this decision, in September or October, yet the report is not scheduled to be presented till January 2024.

Nichols concurred. The presentation was delayed by the Benton County Talks Trash project, and the County has not yet received the report. BCC Chapter 23.5.10(5) contains a provision that the Board can require an annual report and any other needful information before making the rate increase decision.

Augerot added that the report usually goes to the advisory committees first, then to the Board.

Jackson explained that from 2009-2013, rate increases were based on a larger rate review process every two to three years, and ranged from 7-9%. RS and the Board agreed there was a better method, so the Refuse Rate Index (RRI) method was adopted, for an average increase of 2.9% per year. This is a more predictable and consistent approach, which customers anecdotally prefer. RS was unaware that the Refuse Rate Order had expired; RS signed the new hauling agreement in June 2020, and submitted a refuse rate agreement packet in fall 2020 that was approved, so the 2023 rate increase still reflects that rate. RS's preference is to use the RRI again and return to the Board with future options.

Augerot agreed that the RRI makes rate increases more predictable and stable, so it makes sense to use the RRI now and later have RS staff renew the old agreement or develop a different approach. However, Augerot did not like the incentivization of more waste; a larger can should cost more per gallon, not less, to motivate people to use recycling and compost cans more and produce less garbage. Augerot would like to have seen an annual report before now; Augerot had other concerns, such as environmental issues, but those do not relate to the franchise agreement and waste disposal service for the community.

Jackson stated that the analysis of can sizes does not take into account that one person with a 20-gallon cart may produce more waste per capita than a family of four with a 90-gallon cart. It is difficult to regulate how much waste a person makes. There are pros and cons for each system. RS is willing to incentivize smaller cart size. Also, recycling and yard debris cost more to process than solid waste. People using the small cart might produce more recycling and yard debris. Everyone understands the need to produce less waste overall; that is the pro for incentivizing a rate for smaller carts.

Wyse asked for any documentation or metrics showing that incentivizing larger or smaller bins has an impact on the amount of garbage produced.

Jackson replied that RS can glean some information from the City of Portland. About 10 years ago, Portland went to every-other-week garbage collection and weekly yard debris collection; initially there was more cross-contamination, but Jackson was not sure if that leveled out.

Wyse stated that she would support incentivization of smaller containers if that demonstrates a real impact. If it does not make a difference, Wyse would hesitate to raise rates on constituents. Wyse asked if RS had that incentivization now.

Jackson replied no. Portland subsidizes lower cart rates from higher cart rates; people with a larger cart pay more per gallon of waste.

Augerot favored that approach.

Wyse commented that the approach sounded good, but would like to see documentation first.

Jackson replied that RS will gather information from the Oregon Department of Environmental Quality.

Wyse asked if the Board could change its approach for the following year if desired.

Jackson confirmed.

Wyse noted that the Sustainable Materials Management Plan (SMMP) process could also provide future direction. Wyse asked if Jackson had met with the other Benton County jurisdictions, and if those had all raised rates, and by how much.

Jackson replied that the other communities had all approved the rate increases. RS uses the RRI in most jurisdictions in the Willamette Valley, except the City of Salem. Corvallis uses a different rate for industrial, residential, and commercial customers, and increased fees about 5.4% this year, whereas RS is asking Benton for a 4.8% increase. In jurisdictions that include fuel in the RRI, which Benton does not, the rate is very volatile. In 2022, the RRI indicated an 8.8% increase, but RS only requested 4%. In jurisdictions that include fuel, fees increased 13.4% at that time. In 2023, jurisdictions that include fuel had a 1% increase. Benton's rate increases are very predictable.

Malone seconded the notion of determining effective ways to reduce solid waste going into CBL. One option is a higher rate for customers who throw away more. It is important to know what is most effective to incentivize people to recycle more.

Jackson shared that the Recycling Modernization Act (RMA), effective July 1, 2025, should expand which materials can be recycled. The RMA mainly involves plastics recycling and will provide a statewide list of collected materials. Because this is an Extended Producer Responsibility program, there will probably be more types of recyclable plastics than RS currently has markets for. Materials Recycling Facilities will accept more plastics and send some for a secondary sort. RS has opened a plastics polymer facility, so some material from Oregon can be sent there and remanufactured. All this will help reduce waste.

Malone also favored relatively modest annual adjustments. Malone asked if renewing the agreement annually works best for RS.

Jackson confirmed.

Wyse clarified that she did not want to incentivize making more trash, but suspected that increasing the range of recyclable materials would have more impact on waste reduction. There needs to be a reason for a rate increase.

Public Comment

Mark Yeager, resident, requested that the Public Hearing remain open, since RS may provide additional information to the County. The packet published late on December 15, 2023 for this meeting provided no new information. At the previous Public Hearing, Yeager offered concerns about rate complexity and incentivizing production of more waste. A broader look at the rate structure is needed, and the rates should be easier to understand. The cans in question are only residential, not commercial. There is lots of general evidence that when customers pay more per unit of waste, they throw fewer things away. The public should have an opportunity to review the RS reports.

Marge Popp, resident, approved of discontinuing the perverse incentive to produce more waste by lowering prices on quantities, but as Nichols presented the change, this would produce more revenue for RS. The County should first analyze how the change would affect the revenue stream, and make that clearer to the public. Popp requested that this be a revenue-neutral process, and if greater revenue is generated, that it be used to benefit Benton County, not RS.

Chair Malone closed the Public Hearing at 11:41 a.m.

Augerot summarized the requests from the community: 1. Continue the Public Hearing again, keeping the record open, so the Board and the public can see the annual report on RS operations. 2. Allow time to address Wyse's request for information on the effectiveness of changing the rate structure to incentivize lower volumes of waste. Augerot asked Jackson whether that analysis could be done by January 16, 2024, or if Jackson suggested that the Board approve the rate increase now and work on a changed approach for next year. Augerot would like to take into account Popp's point about not just increasing the cost of a 32-gallon cart and increasing RS profits without return to the community; instead, the cost of a 20-gallon cart could be reduced. Augerot would also like to consider Jackson's point that sometimes large households need larger cans, and sometimes have the most strained budgets, so a rate increase hits harder. The County does not want to incentivize dumping waste on the roadside, either.

Jackson was unsure how to simplify rates significantly. Smaller carts could be subsidized with larger carts, but it would be difficult to complete the work by January 16, 2024. The refuse rate adjustments are meant to work with inflation and RS's rising costs, so RS's preference is to proceed with the RRI increase for 2024, then explore how Benton County wants to adjust rates, and return at the end of 2024. RS was willing to postpone the decision into January 2024 so everyone can see the annual report.

Wyse was also very interested in seeing the report.

To maintain process consistency, Augerot preferred to see the report before the rate increase, as usual. Augerot agreed that a thorough rate analysis would take time, and the SMMP analysis and a better understanding of the RMA will change the dynamics of incentives and waste streams. It is necessary to think carefully and holistically about the three waste streams (garbage, compost, recycling), and consider both preserving CBL airspace in the long-term, and environmental factors such as methane and potential leachate toxicity. Augerot preferred to address the rate analysis in a more thoughtful and all-inclusive manner. Augerot favored using the RRI, and also favored delaying the decision until after the Board and the community can see the annual report.

Wyse was willing to use that approach. The Board can wait, see the annual report, make a decision for 2024, then see how the situation unfolds and take the SMMP process into consideration.

Augerot wanted to include what was learned in that process, and how to be most effective in changing the incentive structure, not just shifting problems from one waste stream to another.

Responding to a question from Wyse, Counsel advised continuing this Public Hearing so the Board can accept new evidence such as the annual report. The Chair can decide whether to receive additional comment at that time.

Responding to a question from Malone, Jackson replied that the annual report will be available in the first week of January 2024.

Counsel added that continuation of this Public Hearing must also include the introduction and acceptance of the annual report.

After discussion, Malone continued the Public Hearing to the January 16, 2025 Board Meeting so the Board can review the RS annual report.

Jackson added that RS would prefer to present information about incentives and smaller cart sizes as a separate item.

Malone favored that approach.

PH 3 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

Chair Malone reconvened the December 5, 2023 Public Hearing at 11:54 a.m.

Staff Report

Counsel clarified that the County accepted public testimony through December 5, 2023, then closed the record, so the community member emails received this week are not included in the packet or the record of this Hearing. The purpose of the continuation was to verify that the changes directed by the Board have been incorporated into the Ordinance. There is an incorrect redline on packet page 70, Ordinance Exhibit A. On packet page 77, staff corrected the incorrect strikethroughs, and the version on pages 77-80 is the correct redline version that was attached to the Ordinance.

Douglas confirmed. The process was documented in the agenda checklist. This redline should track all the changes discussed in the Hearings.

Deliberations

Augerot noted that although the record was closed, she was open to the request in the emails to include the word ‘only’ in 9.810(2)(d), packet page 79, in blue, last paragraph on the right side of page. The altered passage would read, “community rodeos conforming to Northwest Professional Rodeo Association animal welfare rules and Future Farmers of America sponsored events: this exemption applies to activities only using animals not listed in 9.805.4.” Augerot felt this was clearer from a legal standpoint.

Malone preferred to leave the language unchanged.

Wyse expressed an understanding of the intent, but felt this change complicates the matter and preferred to leave the language unchanged. If anyone later questions how the Board interpreted this Ordinance, there is sufficient information about the Board’s intent on record.

Augerot thanked everyone who participated in this process.

MOTION: Wyse moved to enact Ordinance #2023-0322 and conduct a first reading. Augerot seconded the motion, which **failed 2-1 (Augerot and Malone opposed)**. The motion died.

MOTION: Augerot moved that the Board accept this redline version of the Ordinance with the addition of the word ‘only’ in Benton County Code 9.810(2)(d). Wyse seconded the motion, which **carried, 2-1 (Malone opposed)**.

Counsel clarified for the record that the word ‘only’ goes in subsection (d), second sentence, after the word ‘using’ and before the word ‘animals.’ Counsel conducted the first reading (short title). Second reading to occur January 2, 2024 as a regular business item. Effective date February 1, 2024. Counsel instructed Makepeace to correct the dates in the Ordinance.

Chair Malone closed the Public Hearing at 12:07 pm.

7. Departmental Reports & Requests

7.1 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

Morales explained this is a response to changes by the Oregon legislature in House Bills (HB) 2031 and 2237. County clerks requested the name change because some appeal petitioners thought they could appeal the amount of tax they pay, rather than the value of their property. HB 2237 initially asked for a four-year term for PVAB members instead of a one-year term because the positions require a great deal of training. Staff requested a two-year term since this is how often members are required to take the State training. The changes will take effect later this year.

MOTION: Augerot moved to adopt revisions to the Board of Property Tax Appeals Bylaws 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 2031 and 2237. Wyse seconded the motion, which **carried 3-0**.

7.2 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

Augerot explained that Community Services Consortium (CSC) staff have been working to pull Benton County out of the Rural Oregon Continuum of Care (ROCC) and form an independent Continuum of Care with Linn and Lincoln Counties. This will provide more autonomy on how to conduct the point-in-time count for homelessness and in applying for Federal grants. In the ROCC, all counties had to be in agreement about grant applications and gain some benefit from those grants. Benton is very different from the remainder of the rural area, which mainly consists of southern and eastern Oregon. As an independent entity, Linn-Benton-Lincoln will have much more ability to address homelessness issues as needed, and already work closely together on these issues. CSC Director Pegge McGuire has spoken to all the local municipalities and the Lincoln County Board of Commissioners. Each County needs to make a Resolution establishing this Continuum of Care and leaving ROCC.

Malone asked if there were any downsides to the change.

Augerot replied that ROCC shares one staff person, so later the three Counties will need staffing at CSC to support the application process. That cost will be borne by CSC, possibly with some eventual cost-sharing by the three counties. There are sources to support creation of the position, and it has already been advertised. Marion and Polk Counties, who also recently withdrew from ROCC, have more than tripled the amount of grant revenue coming in, so they are able to cover staff costs because they have a better ability to raise funds and address the challenges in that region.

MOTION: Augerot moved to approve Resolution #R2023-028 supporting the establishment of a Continuum of Care for Linn, Benton, and Lincoln Counties and registering said unit with the Department of Housing and Urban Development in 2024. Wyse seconded the motion, which **carried 3-0.**

Chair Malone recessed the meeting at 9:37 a.m. and reconvened at 11:00 a.m. with Public Hearing 1.

8. Other

No other business was discussed.

9. Adjournment

Chair Malone adjourned the meeting at 12:07 p.m.

Pat Malone, Chair

Erika Milo, Recorder

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

PUBLIC HEARING

The materials for the following:

PH 1 45 minutes – Public Hearing Regarding Solid Waste Collection: Annual Rate Increase Request, Order #D2024-027 – Darren Nichols, Community Development; Julie Jackson, Republic Services

will be published as Addendum 1 to the Meeting Packet.

NEW BUSINESS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 02/20/24

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Natural Areas, Parks and Events

Contact Name * Jesse Ott

Phone Extension * 6002

Meeting Attendee Name * Jesse Ott/Adam Stebbins

Agenda Item Details 

Item Title * Request for approval to apply for the US Fish and Wildlife Service Section 6 Endangered Species Act Grant

Item Involves * Check all that apply

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

Estimated Time * 15 minutes

Board/Committee Involvement * Yes
 No

Advertisement*

Yes

No

Item Issues and Description

Identified Salient Issues *

Long Term Habitat Restoration within highest population priority habitat for Taylors Checkerspot Butterfly at Beazell Memorial Forest. Grant application approval requested for Annual monitoring provided by the US Fish and Wildlife Service (USFWS) and Benton County Natural Areas, Parks, and Events (NAPE) (combined funding for annual population estimates). Estimates show the highest populations occurring at Beazell Memorial Forest “North” and “Middle” meadows (natural areas managed by Benton County NAPE). Retaining and increasing this population is critical to downlisting of species and recovery.

Options *

Approve or deny the request to submit a grant application.

Fiscal Impact *

- Yes
- No

Fiscal Impact Description *

\$9,000 match of Habitat Conservation Plan (HCP) funds to secure \$20,000 in funding.

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 * This work is needed to protect the habitat of one of the largest concentrations of the endangered Taylor's Checkerspot Butterfly in the Willamette Valley.

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 rare plant and animal species in our natural areas make them even more special to recreators.

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations* Approve the request by Natural Areas, Parks, and Events to apply for the US Fish and Wildlife Service Section 6 Endangered Species Act grant.

Meeting Motions* I move to ...
...allow Natural Areas Parks and Events to apply for the US Fish and Wildlife Service Section 6 Endangered Species Act Grant.

Staff Recommendation

Approve the request by Natural Areas, Parks, and Events to apply for the US Fish and Wildlife Service Section 6 Endangered Species Act grant.

Meeting Motion

I move to allow Natural Areas Parks and Events to apply for the US Fish and Wildlife Service Section 6 Endangered Species Act Grant.

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.

Endangered Taylor's Checkerspot Butterfly within Benton County Natural.pdf	1.29MB
Section 6 Application 2024 Benton Countyh NAPE.pdf	67.38KB
Budget Section 6 NAPE.pdf	97.33KB

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

Department Approver TOMI DOUGLAS

1. Dept Approval

Department Approval

Comments

Signature

Tomi Douglas

2.

Counsel Approval

Comments

Signature

Vance H. Crokey

3.

County Administrator Approval

Comments

Signature

Rachel L McEneny

4.

BOC Final Approval

Comments

Signature

Hanna Kwiatkowski

Endangered Taylor's Checkerspot Butterfly within Benton County Natural Areas

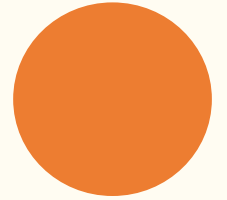
**Board of Commissioners Meeting-
February 2024**

Overview

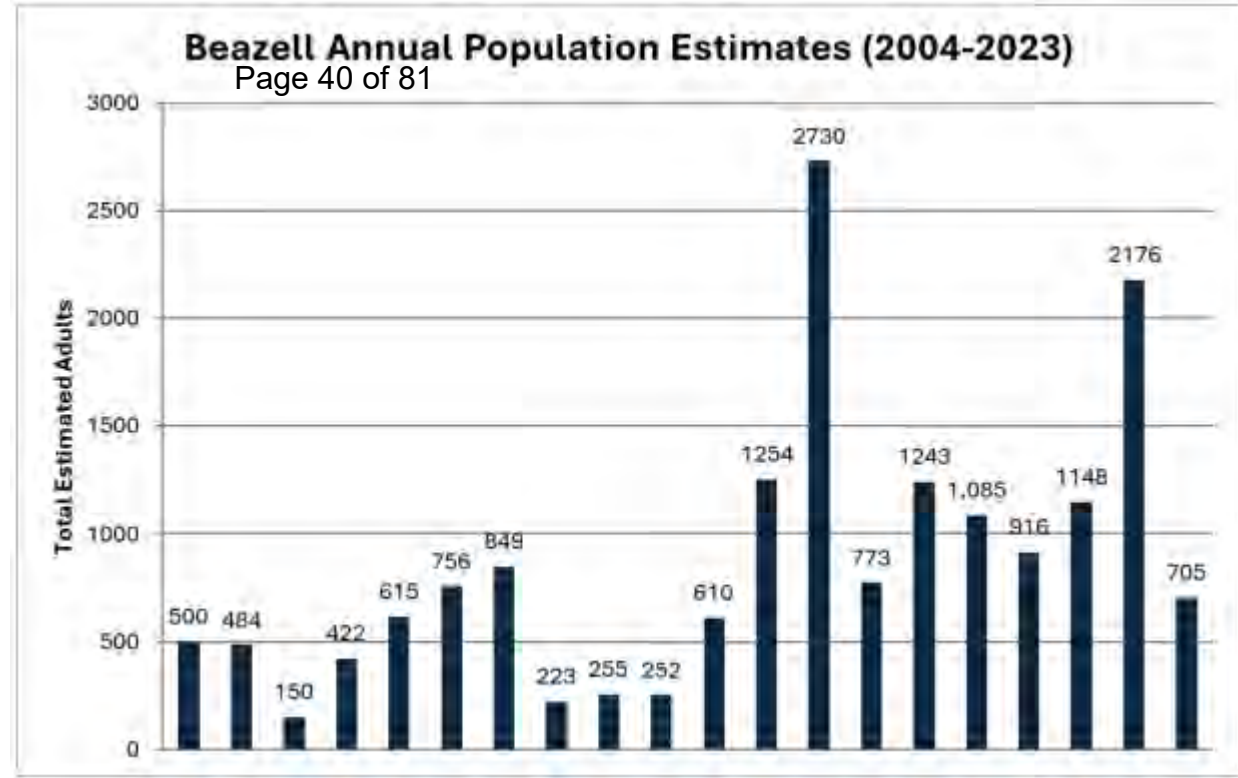
Prairie Habitat Conservation,
Restoration and Enhancement

+

Weather/Micro Climate
Monitoring



Decades Long Monitoring



Taylor's checkerspot Host Species (Leaf Area in m²)

Site	2011	2014/15	2018	2021	Change from prior	Change from Baseline
Bezell Memorial Forest	401.6	1001	901	12776	11875 1318%	12374.4 3,081%

Taylor's checkerspot Nectar Species (Leaf Area in m²)

Site	2011	2014/15	2018	2021	Change from prior	Change from Baseline
Bezell Memorial Forest	3028	8416	7631.4	14076.4	6445 84%	11,048.4 365%

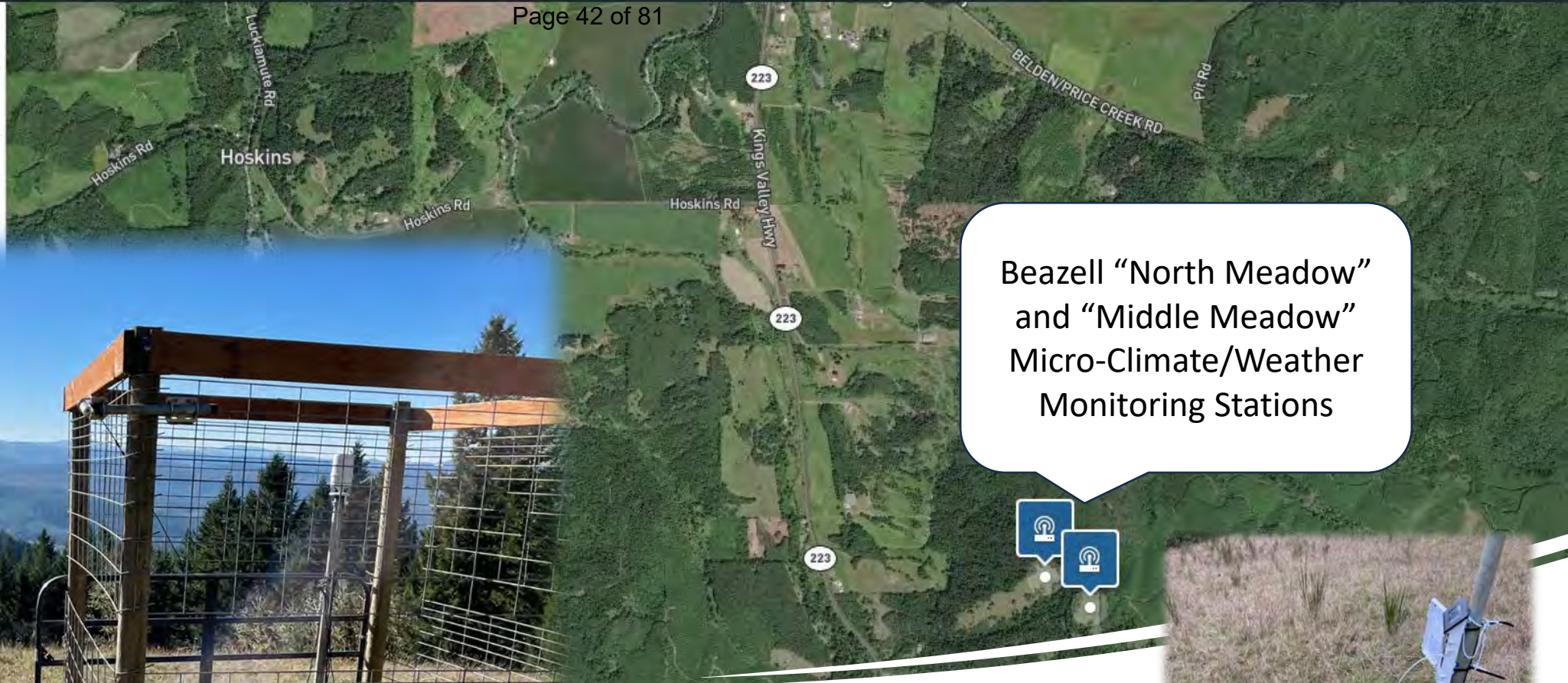
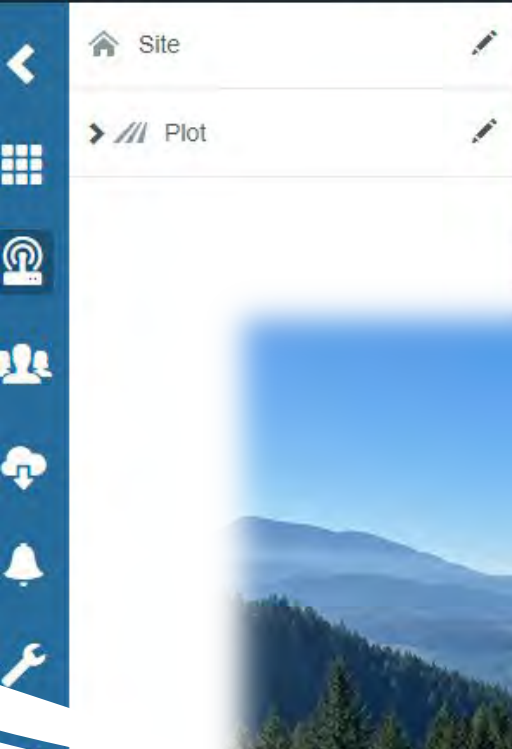




Decades Long Habitat Projects-
Bezell Memorial Forest & Fitton Green

Site

Plot



Bezell "North Meadow" and "Middle Meadow" Micro-Climature/Weather Monitoring Stations



Winter 2021: 2x Stations in highest priority meadow habitat-established with weather and in-soil sensors



15 minute monitoring interval data with upcoming Abiotic impacts research

- Heat domes
- Late freezes
- Early freezes
- And more!

— Port 1: ATMOS 41





**Prairie Conservation Area
Monitoring + Forest Resources
Management leading to corridor
creation and habitat expansion**



TRADITIONAL SECTION 6 PROJECT PROPOSAL

Project Narrative

- 1) **Species:** Taylors Checkerspot (*Euphydryas editha taylori*)
- 2) **Species Recovery Priority Number (1-18):** (to be filled in by the Service)
- 3) **State:** Oregon
- 4) **State Priority:** Critical Habitat- Endangered
- 5) **Project Title:** Long Term Habitat Restoration within highest population priority habitat for Taylors Checkerspot Butterfly
- 6) **Description of entity(ies) undertaking the project:** Benton County Natural Areas, Parks, and Events Department (NAPE), local various Contractors most suited/competitive advantage for the proposed objectives.
- 7) **Statement of Need:** Annual monitoring provided by USFWS and Benton County NAPE (combined funding for annual population estimates) show the highest populations occurring at Bezell Memorial Forest “North” and “Middle” meadows (natural areas managed by Benton County NAPE). Retaining and increasing this populations is critical to downlisting of species and recovery.
- 8) **Recovery Plan Task Number:** This proposal supports the Recovery Plan, Recovery Action #1: Maintain and increase suitable habitat and connectivity across the species’ range to support population.
- 9) **Task Priority Number (1-3):** (to be filled in by the Service)
- 10) **Purpose:** Support long term restoration of core critical habitat for the largest Taylors Checkerspot Butterfly populations, within Oregon, at North and Middle Meadows of Bezell Memorial Forest.
- 11) **Objectives:** 1. Reduce invasive species via mowing and herbicide applications within core critical habitat. 2.) Bulb and seed purchases to increase nectar and host vegetation abundance. 3.) Completion of planting plan and plant materials installation within priority meadow areas.
- 12) **Methods/Approach:** Utilizing the 3-year effectiveness monitoring data (next monitoring cycle April-July 2024) under the Benton County Habitat Conservation Plan (HCP), project leads will determine priority work locations. After specific project locations are identified, existing grants will be leveraged along with existing county funding to plant additional bulbs/plugs seed. Prioritized mowing of identified areas will occur after Taylors breeding season, to reduce summer invasive plant seed production. Early

summer spot spraying of invasive plants will occur prior to mowing. Building on this work through increased invasive plant control, enhanced nectar and larval source plantings, will result in long term restoration of historic TCB populations at these highest populations priority conservation area.

13) Timetable or milestones:

During 2025, the following work will be completed under this grant funding opportunity:

April-May: Complete site visits to establish vegetation site conditions based on HCP findings, and any possible limited Taylors Checkerspot use of previous restoration work areas. Complete targeted applications of broad spectrum herbicide to priority invasive plants.

May-June: Benton County natural resources division operator completes priority mowing to limit spread of any remaining invasive plant seeds.

November-December: Planting of nectar and host species for Taylors Checkerspot Butterfly to provide for an increase in existing native vegetation.

14) Information to support environmental compliance review requirements:

The project area is included within the Benton County Habitat Conservation Plan- Prairie Conservation Areas, approved by USFWS (since 2010). All work will be in compliance with the incidental take permit and requirements associated with the Benton County HCP.

15) Information on key project personnel:

Adam Stebbins, Benton County Natural Resources Coordinator
Devon Durant, Benton County Landscape and Natural Resources Specialist
Local contractors capable and awarded

16) Project Location:

North and Middle Meadows within Benton County prairie conservation areas at Bezell Memorial Forest, Benton County OR

17) Continuation Projects Only:

Since 2010, Benton County Natural Areas and Parks Department has completed ongoing restoration actions to ensure that the site will be greatly enhanced through this funding opportunity. The following summarizes the recent work to reestablish enhanced conditions for the endangered checkerspot butterfly including:

1. Summer 2023 prioritized mowing;

2. Summer and Fall spot spraying of invasive plants within meadow expansion areas and habitat priority portions of site;
3. Fall 2023 stump grinding within meadow expansion area;
4. Fall 2023 herbicide applications within priority habitat expansion areas.

All work was initial funding investment provided by the Benton County Habitat Conservation Plan- General Fund, and the Oregon Watershed Enhancement Board. The county general fund will also provide the 25% match funding during this 2025 work period.

Budget Narrative

Provide a budget that details personnel time, supplies and services and cost share information.

*See next page for budget breakdown and budget narrative”

	Time	Units	Rate	Total Project Costs	Non Federal Match	Total Funds Requested
A. Salaries & Wages						
<i>Staff - Name and Title</i>						
Adam Stebbins, Natural Resources Coordinator	80.00		\$66.84	\$5,347	\$5,347	\$0
Devon Durant, Landscape Specialist	50.00		\$50.77	\$2,539	\$2,539	
Outdoor Education & Recreation Intern	80.00		\$15	\$1,200	\$1,200	
Total Salary				\$9,086	\$9,086	\$0
B. Fringe Benefits						
	Rate		Base			
<i>Staff - Name and Title</i>						
						\$0
Total Fringe Benefits				\$0	\$0	\$0
SALARY & FRINGE COSTS				\$9,086	\$9,086	\$0
C. Consulting/Contracting Fees						
	quantity	units	rate/unit			
Herbicide applications	3		\$ 2,000.00	\$ 6,000.00		\$ 6,000.00
Plant Materials Installation	2		\$3,000	\$ 6,000.00		\$ 6,000.00
Total Consulting/Contracting				\$12,000	\$0	\$12,000
D. Travel and Per Diem						
	Distance	Units	Rate			
Mileage						
Travel Per Diem						
other						
Total Travel and Per Diem Costs				\$0	\$0	\$0
E. Supplies and Materials						
	quantity	units	rate/unit			
Plant Materials	80	pounds	\$187.50	\$15,000		
Total Supplies and Materials				\$15,000	\$0	\$15,000
G. Other Costs						
Total Other Costs				\$0	\$0	\$0
TOTAL DIRECT COSTS				\$36,086	\$9,086	\$27,000
Indirect Cost/Overhead Rate			0.00%	\$0	\$0	
TOTAL PROJECT COST				\$36,086	\$9,086	\$27,000
					25.18%	33.65%

The proposed Budget shows that the cost of the project is cost effective and that costs are both necessary and reasonable for accomplishing the purposes of the proposal. Full funding is secured under the Benton County general fund Habitat Conservation Plan. Staff costs were developed based on current burden rates for Benton County NAPE. Plant materials and herbicide application costs were identified based on recent similar work completed within similar project areas.

Section 6 Application Guide

Project Narrative

- **Statement of Need** – Explain why the project is necessary, how it relates to the State’s program to conserve and recover threatened and endangered species as described through the cooperative agreement, and supports the Department of Interior’s Priorities for Federal Financial Assistance.
 - A need statement will identify the conservation issue, problem or opportunity to be addressed.
 - A need statement will provide evidence such as results from surveys, research or other data to demonstrate that the need is real and not perceived.
 - A need statement will identify the negative result of taking no action;
- **Purpose** – Describe the desired future state that addresses the need in whole or part.
- **Objectives** – Describe the objectives of the project.
 - Objectives state the desired outcome of the proposed project in terms that are specific and quantified.
 - Objectives are meant to be realistic targets or benchmarks that, if achieved, will resolve the project need.
 - Objectives are written in an active tense and use action verbs such as construct, survey, train, research, establish, repair, conduct, provide, etc.
- **Methods/Approach** – Describe the methods used to achieve the stated objectives.
 - Approach describes the specific conservation actions or efforts necessary to accomplish project objectives.
 - Approach answers the question of “how” the objectives will be accomplished by describing the actual work that will be done.
 - Approach will demonstrate that the agency will use sound design, appropriate procedures, and accepted fish and wildlife conservation, management, or research principles.
 - Any deliverables resulting from the funding should be noted in this section.
- **Timetable or milestones** – Describe significant milestones in completing the project and any accomplishments to date. Indicate if this is a multi-year project.
- **Information to support environmental compliance review requirements** – the Service has the responsibility for making the final determination regarding compliance with Federal laws.
 - National Environmental Policy Act (NEPA) – provide any information that may be relevant to compliance with NEPA.
 - Endangered Species Act (ESA) – provide any information that may be relevant to compliance with the ESA.
 - National Historic Preservation Act (NHPA) – provide any information that may be relevant to compliance with NHPA, such as locations of historic or cultural properties.
 - State Historic Preservation Office (SHPO) – for any ground breaking activities complete SHPO clearance and provide copies of associated permits.
 - Other Permits – list and provide the current status of any other required Federal permits

- **Information on key project personnel**
 - Principal investigator (Research)
 - Recipient project lead
- **Project Location-** Provide a general description of where the work will be conducted.

Budget Narrative

Describe and justify requested budget items and costs. Detail how the SF-424 Budget Information, Object Class Category totals were determined. For personnel salary costs, include the baseline salary figures and the estimates of time. Describe any item of cost that requires prior approval under the Federal cost principles. See 2 CFR 200.407 “Prior written approval (prior approval)” for more information. If equipment purchased previously with Federal funds is available for the project, provide a list of that equipment and identify the Federal funding source. Identify any cash or in-kind contributions that a partner or other entity will contribute to the project and describe how the contributions directly and substantively benefit completion of the project. For in-kind contributions, include the source, the amount, and the valuation methodology used to determine the total value. See 2 CFR 200.306 “Cost sharing or matching” for more information.

Budget narratives must be sufficiently detailed to show that the project is cost effective and that costs are both necessary and reasonable for accomplishing the purposes of the proposal. Indicate whether partial funding of the project is practicable and, if so, what specific portion(s) of the project could be implemented with what level of funding. The budget narrative should provide sufficient detail for reviewers to understand how costs were estimated. Reviewers must be able to clearly see that costs are realistic and are commensurate with the project needs and timeframe. Applications will be disqualified if reviewers cannot determine that applications meet this threshold

FY 2024 Invertebrate Section 6 Grant Program Budget						
Project Title: Long Term Habitat Restoration within highest population priority habitat for Taylors Checkerspot Butterfly						
Today's Date: 1/12/24			Proposed Project Period:		April 1st-December 30th 2025	
Requesting Entity: Benton County Natural Areas, Parks & Events				Contact:	Adam Stebbins, 541-250-6209	
A. Salaries & Wages						
	Time	Units	Rate	Total Project Costs	Non Federal Match	Total Funds Requested
Staff - Name and Title						
Adam Stebbins, Natural Resources Coordinator	80.00		\$66.84	\$5,347	\$5,347	\$0
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B. Fringe Benefits						
	Rate	Base				
Staff - Name and Title						
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C. Consulting/Contracting Fees						
	quantity	units	rate/unit			
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Total Consulting/Contracting				\$12,000	\$0	\$12,000
D. Travel and Per Diem						
	Distance	Units	Rate			
Mileage						
Travel Per Diem						
other						
Total Travel and Per Diem Costs				\$0	\$0	\$0
E. Supplies and Materials						
	quantity	units	rate/unit			

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TOTAL PROJECT COST				\$36,086	\$9,086	\$27,000
					25.18%	33.65%

This asset must be properly classified Level 1, Level 2, Level 3 or L4.

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 02/20/24

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Public Works

Contact Name * Laurel Byer

Phone Extension * 6013

Meeting Attendee Name * Laurel Byer

Agenda Item Details 

Item Title * Acceptance of Easements for the Corvallis to Albany Path: Pilkington to Merloy Avenue

Item Involves * Check all that apply

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

Estimated Time * 15 minutes

Board/Committee Involvement * Yes
 No

Advertisement*

Yes

No

Item Issues and Description

Identified Salient Issues *

The following is a list of easements obtained for the Corvallis to Albany Path: Pilkington to Merloy Avenue:

Public Utility and Access Easements for a Multi-Use Path from Jeremy and Deanna Yoba

Public Utility and Access Easements for a Multi-Use Path from Rodney K. and Jodie L. Wyatt

Public Utility and Access Easements for a Multi-Use Path from Keith Jegglie and Teri Morrison

Public Utility and Access Easements for a Multi-Use Path from Sheffield Properties, LLC

Public Utility and Access Easements for a Multi-Use Path from Chad R. Sky

Public Utility and Access Easements for a Multi-Use Path from Derek R. Cropp

Public Utility and Access Easements for a Multi-Use Path from Jason Douglas and Terra A. Stroup

See attachment A for copy of easements.

Documents are needed to complete the construction of the segment of the Corvallis to Albany Path from Pilkington Avenue to Merloy Avenue. There are three remaining properties to be acquired that are still, technically, in negotiation.

Options *

- 1) Accept the easement documents.
- 2) Do nothing.

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 *

Providing alternatives for transportation, whether it be transit based or bicycle and pedestrian based, is a key component of meeting a core value of a livable community with equitable options for all. It also encourages healthier lifestyles by creating opportunities for the public to use facilities that are outside a normal road or highway setting. The ultimate build-out of the Corvallis-Albany Multiuse Path will connect the two communities on a lower stress network so that all ages and abilities will be able to utilize the path.

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 focus areas and vision feed into the above core values as outdoor recreation is a key component of livable communities. The proposed path encourages healthier lifestyles by creating opportunities for the public to use facilities that are outside and in an incredible setting here in the Valley. The ultimate build-out of the Corvallis-Albany Multiuse Path will connect the two communities on a lower stress network so that all ages and abilities will be able to utilize the path. The path will also encourage additional bicycle commuting between the two communities, thereby reducing the number of cars on the highway and reducing greenhouse gas emissions.

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations* Staff respectfully recommends that the Board accept and approve the Public Utility and Access Easements for construction of the Corvallis to Albany Path: Pilkington to Merloy Avenue.

Meeting Motions* I move to ...
...accept and approve the Public Utility and Access Easements for the Corvallis to Albany Path: Pilkington to Merloy Avenue.

Staff Recommendation

Staff respectfully recommends that the Board accept and approve the Public Utility and Access Easements for construction of the Corvallis to Albany Path: Pilkington to Merloy Avenue.

Meeting Minutes

I move to accept and approve the Public Utility and Access Easements for the Corvallis to Albany Path: Pilkington to Merloy Avenue.

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.

Corvallis-Albany Path Easement Attachment A.pdf 2.06MB

Comments (optional) Laurel will bring original easements to the meeting for signatures. These documents require wet signatures. Once signed, please return original documents for recording. Do not scan, e-sign or shred. Thank you.

If you have any questions, please call ext.6800

**Department
Approver**

GARY STOCKHOFF

<p>1.</p> <p><u>Department Approval</u></p> <p>Comments</p> <p>Signature</p> <p><i>Gary Stockhoff</i></p>	<p>5.</p>
<p>2.</p> <p><u>Counsel Approval</u></p> <p>Comments</p> <p>Signature</p> <p><i>Vance H. Chokey</i></p>	
<p>3.</p> <p><u>County Administrator Approval</u></p> <p>Comments</p> <p>Signature</p> <p><i>Rachel L McEneny</i></p>	
<p>4.</p> <p><u>BOC Final Approval</u></p> <p>Comments</p> <p>Signature</p> <p><i>Maura Kwiatkowski</i></p>	

Permanent Easement for Multi-use Path and Utilities

A parcel of land lying in the SE¼NW¼ of Section 19, Township 11 South, Range 4 West of the Willamette Meridian in Benton County, Oregon, and being a portion of that property described in a Warranty Deed - Statutory Form to Jeremy Yoba and Deanna Yoba, recorded February 8, 2019 as Instrument No. 2019-578858 of Benton County Clerk Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Easterly side of the center line of the relocated Albany-Corvallis Highway (US20), which center line is described as follows:

Beginning at Engineer's center line Station 301+59.80, said station being 3,029.74 feet South and 3,164.54 feet West of the Northeast corner of the William Taylor Donation Land Claim No. 46 situate in Section 8, Township 11 South, Range 4 West, W.M.; thence South 34° 00' 20" West 977.80 feet; thence on a 1,432.04 foot radius curve left (the long chord of which bears South 29° 46' 20" West 211.42 feet) 211.61 feet to Engineer's center line Station 313+49.21 Back equals 313+49.30 Ahead; thence South 25° 32' 20" West 768.90 feet; thence on a 5,734.58 foot radius curve left (the long chord of which bears South 23° 38' 29" West 379.79 feet) 379.86 feet to Engineer's center line Station 324+98.06 Back equals 324+98.20 Ahead; thence South 21° 44' 37" West 2,296.21 feet to Engineer's center line Station 347+94.42 Back equals 347+91.20 Ahead; thence South 21° 26' 42" West 1,781.50 feet; thence on a 11,604.07 foot radius curve left (the long chord of which bears South 20° 45' 42" West 276.78 feet) 276.79 feet to Engineer's center line Station 368+49.49 Back equals 368+49.21 Ahead; thence South 20° 04' 42" West 2,524.44 feet; thence on a spiral curve right (the long chord of which bears South 22° 16' 41" West 219.87 feet) 220.00 feet; thence on a 954.93 foot radius curve right (the long chord bears South 28° 46' 56" West 70.11 feet) 70.13 feet; thence on a spiral curve right (the long chord of which bears South 35° 17' 10" West 219.87 feet) 220.00 feet; thence South 37° 29' 09" West 287.15 feet; thence on a 7,161.97 foot radius curve left (the long chord bears South 32° 05' 39" West 1,345.94 feet) 1,347.93 feet to Engineer's center line Station 415+18.84 Back equals 415+19.39 Ahead; thence South 26° 42' 09" West 1,576.80 feet to Engineer's center line Station 430+96.19.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Easterly Side of Center Line
392+20.00		393+89.00	47.00
393+89.00		394+50.00	47.00 in a straight line to 61.00

EXHIBIT A - Page 2 of 2

File B012
Drawing RW9687M
May 24, 2022

Bearings are based on the Oregon Coordinate Reference System, Salem Zone, NAD 83 (2011) epoch 2010.00, per Benton County Survey File Number 11017.

This parcel of land contains 1,076 square feet, more or less, outside the existing right of way.

Copy-Do Not Sign

REGISTERED
PROFESSIONAL
LAND SURVEYOR

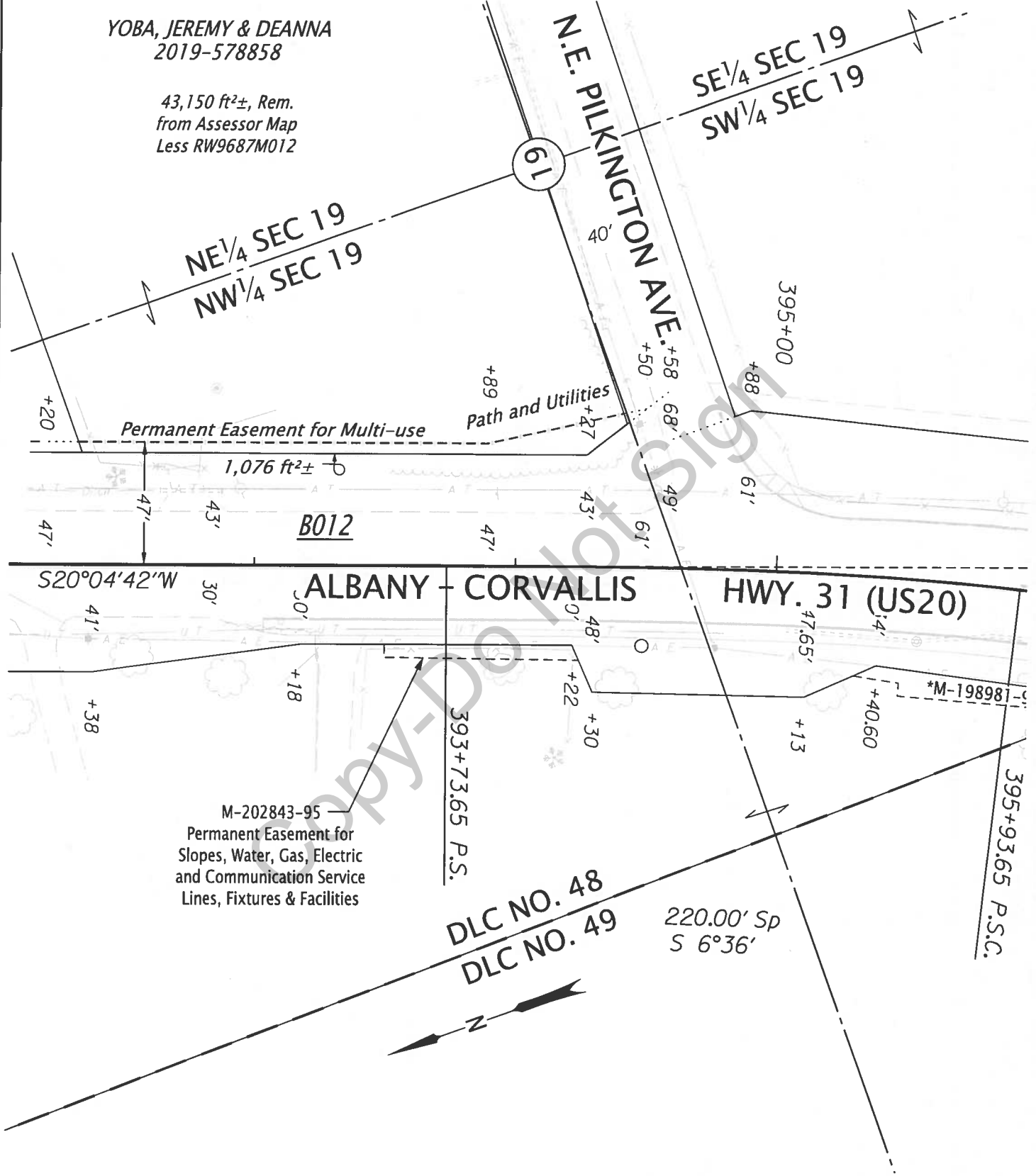

OREGON
JULY 10, 1996
PATRICK M. GAYLORD
2767

RENEWS: 06/30/2023

SE $\frac{1}{4}$ NW $\frac{1}{4}$ SEC. 19, T. 11 S., R. 4 W., W.M.

YOBA, JEREMY & DEANNA
2019-578858

43,150 ft²±, Rem.
from Assessor Map
Less RW9687M012



US-20 CORVALLIS-ALBANY MULTI-USE PATH
(CONIFER BLVD. TO MERLOY AVE.)
PROJECT NO. BP-CorvAlb-01-19
BENTON COUNTY, OREGON

FILE	B012
D.E.A. NO.	BCOX0020
DATE	MAY 24, 2022
SCALE	1" = 50'

AFTER RECORDING RETURN TO:
Benton County Public Works
360 SW Avery Avenue
Corvallis, Oregon 97333

**PUBLIC UTILITY AND ACCESS EASEMENT
FOR A MULTI-USE PATH**

KNOW ALL PERSONS BY THESE PRESENTS, that **Rodney K. Wyatt and Jodie L. Wyatt**, hereinafter referred to as Grantor, is the owner of real property described herein and does hereby and forever grant unto **Benton County, a Political Subdivision in the State of Oregon**, hereinafter referred to as the County, a permanent Public Utility and Access Easement for a multi-use path used by utilities, pedestrians and bicycles, on that certain real property described in document M-228382-97 of Microfilm Records of Benton County Clerk Records, over and along the full length and width of the premises described as follows; to wit:

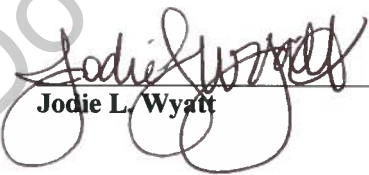
REFER TO ATTACHED EXHIBIT "A" and Map
Public Utility and Access Easement

With the right, privilege, and authority, to said County, to construct, maintain, replace, reconstruct, and/or remove the access facilities and including the right to public utility companies to install, maintain, and repair public utilities, with all appurtenances incident thereto or necessary therewith, on, under and across the said premises, on said easement described in EXHIBIT "A", and to cut and remove from said easement any trees and other obstructions which may endanger the safety or interfere with the construction, use or maintenance of said easement and the right of ingress and egress to, over, and from the above described premises at any and all times for the purpose of doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted.

The County and public utility companies shall, upon each and every occasion that construction, maintenance, reconstruction, replacement, or removal occurs, restore the premises of the Grantor and any improvements disturbed by said activities to a condition as near as practicable as they were prior to any such installation or work.

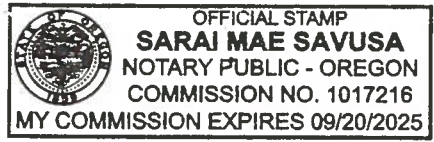
Grantor reserves the right to use the surface of the premises for walkways, driveways, and related purposes that are consistent with the construction, use, and maintenance of said facility on the premises. No building or permanent structure that would enjoin the County or public utility companies from the intended purpose of this easement shall be placed on the premises.



Rodney K. Wyatt


Jodie L. Wyatt

STATE OF OREGON)
) ss.
County of Benton)

The foregoing instrument was acknowledged before me this 2 day of November, 2022
by Rodney K. Wyatt and Jodie L. Wyatt.




NOTARY PUBLIC FOR OREGON
My Commission Expires: 9/20/2025

Accepted and Approved by the
Benton County Board of Commissioners

By: _____
Chair, Board of Commissioners

Date: _____

EXHIBIT A - Page 1 of 1

File B007
Drawing RW9687M
May 24, 2022

Permanent Easement for Multi-use Path and Utilities

A parcel of land lying in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 11 South, Range 4 West of the Willamette Meridian in Benton County, Oregon, and being a portion of that property described in a Warranty Deed – Statutory Form to Rodney K. Wyatt and Jodie L. Wyatt, husband and wife, recorded May 5, 1997 in M-228382-97, Microfilm Records of Benton County Clerk Records; said parcel being that portion of said property included in a strip of land 47.00 feet in width, lying on the Easterly side of the center line of the relocated Albany-Corvallis Highway (US20), which center line is described as follows:

Beginning at Engineer's center line Station 301+59.80, said station being 3,029.74 feet South and 3,164.54 feet West of the Northeast corner of the William Taylor Donation Land Claim No. 46 situate in Section 8, Township 11 South, Range 4 West, W.M.; thence South 34° 00' 20" West 977.80 feet; thence on a 1,432.04 foot radius curve left (the long chord of which bears South 29° 46' 20" West 211.42 feet) 211.61 feet to Engineer's center line Station 313+49.21 Back equals 313+49.30 Ahead; thence South 25° 32' 20" West 768.90 feet; thence on a 5,734.58 foot radius curve left (the long chord of which bears South 23° 38' 29" West 379.79 feet) 379.86 feet to Engineer's center line Station 324+98.06 Back equals 324+98.20 Ahead; thence South 21° 44' 37" West 2,296.21 feet to Engineer's center line Station 347+94.42 Back equals 347+91.20 Ahead; thence South 21° 26' 42" West 1,781.50 feet; thence on a 11,604.07 foot radius curve left (the long chord of which bears South 20° 45' 42" West 276.78 feet) 276.79 feet to Engineer's center line Station 368+49.49 Back equals 368+49.21 Ahead; thence South 20° 04' 42" West 2,524.44 feet; thence on a spiral curve right (the long chord of which bears South 22° 16' 41" West 219.87 feet) 220.00 feet; thence on a 954.93 foot radius curve right (the long chord bears South 28° 46' 56" West 70.11 feet) 70.13 feet; thence on a spiral curve right (the long chord of which bears South 35° 17' 10" West 219.87 feet) 220.00 feet; thence South 37° 29' 09" West 287.15 feet; thence on a 7,161.97 foot radius curve left (the long chord bears South 32° 05' 39" West 1,345.94 feet) 1,347.93 feet to Engineer's center line Station 415+18.84 Back equals 415+19.39 Ahead; thence South 26° 42' 09" West 1,576.80 feet to Engineer's center line Station 430+96.19.

Bearings are based on the Oregon Coordinate Reference System, Salem Zone, NAD 83 (2011) epoch 2010.00 per Benton County Survey File Number 11017.

This parcel of land contains 343 square feet, more or less, outside the existing right of way.



RENEWS: 06/30/2023

SW¹/₄NE¹/₄ OF SEC. 19, T. 11 S., R. 4 W., W.M.

WYATT,
RODNEY K & JODIE L
97-228382

JEGGLIE, KEITH &
MORRISON, TERI
2018-574090

106-548

10' Drainage Pipeline Ease.

106-379

36,656 ft²±, Rem.
from Assessor Map
Less RW9687M007

DOUGLAS, JASON &
STROUP A. TERRA
2010-471246
15,991 ft²±, Rem.
from Assessor Map
Less RW9687M008

20,390 ft²±, Rem.
from Assessor Map
Less RW9687M009

Permanent Easement for Multi-use Path and Utilities

343 ft²±

267 ft²±

VARIES

47'

B007

B008

S 20°04'42" W

ALBANY - CORVALLIS HWY. 31 (US20)

NE¹/₄ SEC 19
NW¹/₄ SEC 19

Access Easement

12' Roadway Bk. 127 Pg. 385



US-20 CORVALLIS-ALBANY MULTI-USE PATH
(CONIFER BLVD. TO MERLOY AVE.)
PROJECT NO. BP-CorvAlb-01-19
BENTON COUNTY, OREGON

FILE	B007
D.E.A. NO.	BCOX0020
DATE	MAY 24, 2022
SCALE	1" = 50'

AFTER RECORDING RETURN TO:
Benton County Public Works
360 SW Avery Avenue
Corvallis, Oregon 97333

**PUBLIC UTILITY AND ACCESS EASEMENT
FOR A MULTI-USE PATH**

KNOW ALL PERSONS BY THESE PRESENTS, that **Keith Jegglie an unmarried man and Teri Morrison, an unmarried woman**, hereinafter referred to as Grantor, is the owner of real property described herein and does hereby and forever grant unto **Benton County, a Political Subdivision in the State of Oregon**, hereinafter referred to as the County, a permanent Public Utility and Access Easement for a multi-use path used by utilities, pedestrians and bicycles, on that certain real property described in document 2018-574090 Benton County Deed Records Benton County, Oregon, over and along the full length and width of the premises described as follows; to wit:

REFER TO ATTACHED EXHIBIT "A" and Map
Public Utility and Access Easement

With the right, privilege, and authority, to said County, to construct, maintain, replace, reconstruct, and/or remove the access facilities and including the right to public utility companies to install, maintain, and repair public utilities, with all appurtenances incident thereto or necessary therewith, on, under and across the said premises, on said easement described in EXHIBIT "A", and to cut and remove from said easement any trees and other obstructions which may endanger the safety or interfere with the construction, use or maintenance of said easement and the right of ingress and egress to, over, and from the above described premises at any and all times for the purpose of doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted.

The County and public utility companies shall, upon each and every occasion that construction, maintenance, reconstruction, replacement, or removal occurs, restore the premises of the Grantor and any improvements disturbed by said activities to a condition as near as practicable as they were prior to any such installation or work.

Grantor reserves the right to use the surface of the premises for walkways, driveways, and related purposes that are consistent with the construction, use, and maintenance of said facility on the premises. No building or permanent structure that would enjoin the County or public utility companies from the intended purpose of this easement shall be placed on the premises.

The County and/or the Oregon Department of Transportation shall construct drainage facilities, including one catch basin and associated pipe to collect stormwater on the subject property and convey that drainage across the easement area to be connected to the State drainage system. Grantor is responsible for ongoing maintenance of the drainage facilities on their property at no cost to the County or the State. The County shall maintain the drainage system adjacent to the multi-use path.



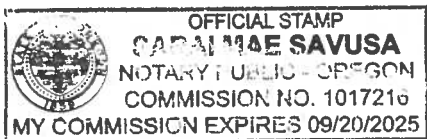
Keith Jegglie




Teri Morrison

STATE OF OREGON)
) ss.
County of Benton)

The foregoing instrument was acknowledged before me this 18 day of November, 2022
by Keith L Jegglie and Teri L. Morrison.





NOTARY PUBLIC FOR OREGON
My Commission Expires: 09/20/2025

Accepted and Approved by the
Benton County Board of Commissioners



By: _____
Chair, Board of Commissioners

Date: _____

EXHIBIT A - Page 1 of 1

File B009
Drawing RW9687M
May 24, 2022

Permanent Easement for Multi-use Path and Utilities

A parcel of land lying in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 11 South, Range 4 West of the Willamette Meridian in Benton County, Oregon, and being a portion of that property described in a Statutory Warranty Deed to Keith Jegglie and Teri Morrison, recorded August 31, 2018 as Instrument No. 2018-574090 of Benton County Clerk Records; said parcel being that portion of said property included in a strip of land 47.00 feet in width, lying on the Easterly side of the center line of the relocated Albany-Corvallis Highway (US20), which center line is described as follows:

Beginning at Engineer's center line Station 301+59.80, said station being 3,029.74 feet South and 3,164.54 feet West of the Northeast corner of the William Taylor Donation Land Claim No. 46 situate in Section 8, Township 11 South, Range 4 West, W.M.; thence South 34° 00' 20" West 977.80 feet; thence on a 1,432.04 foot radius curve left (the long chord of which bears South 29° 46' 20" West 211.42 feet) 211.61 feet to Engineer's center line Station 313+49.21 Back equals 313+49.30 Ahead; thence South 25° 32' 20" West 768.90 feet; thence on a 5,734.58 foot radius curve left (the long chord of which bears South 23° 38' 29" West 379.79 feet) 379.86 feet to Engineer's center line Station 324+98.06 Back equals 324+98.20 Ahead; thence South 21° 44' 37" West 2,296.21 feet to Engineer's center line Station 347+94.42 Back equals 347+91.20 Ahead; thence South 21° 26' 42" West 1,781.50 feet; thence on a 11,604.07 foot radius curve left (the long chord of which bears South 20° 45' 42" West 276.78 feet) 276.79 feet to Engineer's center line Station 368+49.49 Back equals 368+49.21 Ahead; thence South 20° 04' 42" West 2,524.44 feet; thence on a spiral curve right (the long chord of which bears South 22° 16' 41" West 219.87 feet) 220.00 feet; thence on a 954.93 foot radius curve right (the long chord bears South 28° 46' 56" West 70.11 feet) 70.13 feet; thence on a spiral curve right (the long chord of which bears South 35° 17' 10" West 219.87 feet) 220.00 feet; thence South 37° 29' 09" West 287.15 feet; thence on a 7,161.97 foot radius curve left (the long chord bears South 32° 05' 39" West 1,345.94 feet) 1,347.93 feet to Engineer's center line Station 415+18.84 Back equals 415+19.39 Ahead; thence South 26° 42' 09" West 1,576.80 feet to Engineer's center line Station 430+96.19.

Bearings are based on the Oregon Coordinate Reference System, Salem Zone, NAD 83 (2011) epoch 2010.00 per Benton County Survey File Number 11017.

This parcel of land contains 310 square feet, more or less, outside the existing right of way.

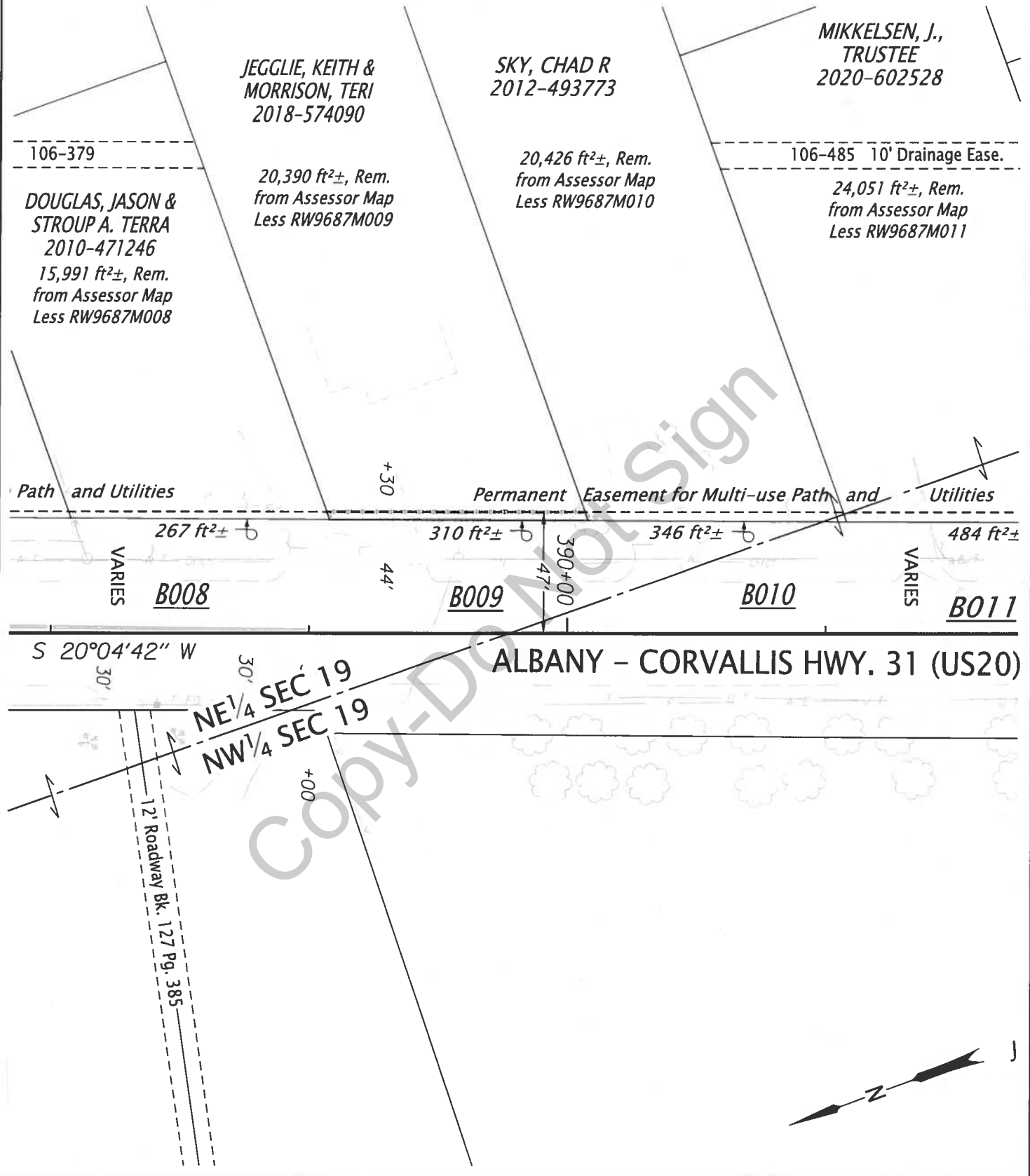
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 10, 1996
PATRICK M. GAYLORD
2767

RENEWS: 06/30/2023

SW¼NE¼ OF SEC. 19, T. 11 S., R. 4 W., W.M.



US-20 CORVALLIS-ALBANY MULTI-USE PATH
(CONIFER BLVD. TO MERLOY AVE.)
PROJECT NO. BP-CorvAlb-01-19
BENTON COUNTY, OREGON

FILE	B009
D.E.A. NO.	BCOX0020
DATE	MAY 24, 2022
SCALE	1" = 50'

AFTER RECORDING RETURN TO:
Benton County Public Works
360 SW Avery Avenue
Corvallis, Oregon 97333

**PUBLIC UTILITY AND ACCESS EASEMENT
FOR A MULTI-USE PATH**

KNOW ALL PERSONS BY THESE PRESENTS, that **Sheffield Properties, LLC, an Oregon Limited Liability Company**, hereinafter referred to as Grantor, is the owner of real property described herein and does hereby and forever grant unto **Benton County, a Political Subdivision in the State of Oregon**, hereinafter referred to as the County, a permanent Public Utility and Access Easement for a multi-use path used by utilities, pedestrians and bicycles, on that certain real property described in document 2021-612646 Benton County Deed Records Benton County, Oregon, over and along the full length and width of the premises described as follows; to wit:

REFER TO ATTACHED EXHIBIT "A" and Map
Public Utility and Access Easement

With the right, privilege, and authority, to said County, to construct, maintain, replace, reconstruct, and/or remove the access facilities and including the right to public utility companies to install, maintain, and repair public utilities, with all appurtenances incident thereto or necessary therewith, on, under and across the said premises, on said easement described in EXHIBIT "A", and to cut and remove from said easement any trees and other obstructions which may endanger the safety or interfere with the construction, use or maintenance of said easement and the right of ingress and egress to, over, and from the above described premises at any and all times for the purpose of doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted.

The County and public utility companies shall, upon each and every occasion that construction, maintenance, reconstruction, replacement, or removal occurs, restore the premises of the Grantor and any improvements disturbed by said activities to a condition as near as practicable as they were prior to any such installation or work.

Grantor reserves the right to use the surface of the premises for walkways, driveways, and related purposes that are consistent with the construction, use, and maintenance of said facility on the premises. No building or permanent structure that would enjoin the County or public utility companies from the intended purpose of this easement shall be placed on the premises.

By: Miriam J. Sheffield By: _____
Name: Miriam J. Sheffield Name: _____
It's: Sole Member It's: _____

STATE OF OREGON)
) ss.
County of Benton)



The foregoing instrument was acknowledged before me this 23rd day of November, 2022, by Miriam J Sheffield as sole member of Sheffield Properties, LLC, an Oregon Limited Liability Company.

Savannah Strupith
NOTARY PUBLIC FOR OREGON

My Commission Expires: January 22, 2023

Accepted and Approved by the
Benton County Board of Commissioners

By: _____
Chair, Board of Commissioners

Date: _____

EXHIBIT A - Page 1 of 1

File B006
Drawing RW9687M
May 24, 2022

Permanent Easement for Multi-use Path and Utilities

A parcel of land lying in the SW¼NE¼ of Section 19, Township 11 South, Range 4 West of the Willamette Meridian in Benton County, Oregon, and being a portion of that property described in a Statutory Warranty Deed to Sheffield Properties, LLC, an Oregon limited liability company, recorded May 12, 2021 as Instrument No. 2021-612646 of Benton County Clerk Records; said parcel being that portion of said property included in a strip of land 47.00 feet in width, lying on the Easterly side of the center line of the relocated Albany-Corvallis Highway (US20), which center line is described as follows:

Beginning at Engineer's center line Station 301+59.80, said station being 3,029.74 feet South and 3,164.54 feet West of the Northeast corner of the William Taylor Donation Land Claim No. 46 situate in Section 8, Township 11 South, Range 4 West, W.M.; thence South 34° 00' 20" West 977.80 feet; thence on a 1,432.04 foot radius curve left (the long chord of which bears South 29° 46' 20" West 211.42 feet) 211.61 feet to Engineer's center line Station 313+49.21 Back equals 313+49.30 Ahead; thence South 25° 32' 20" West 768.90 feet; thence on a 5,734.58 foot radius curve left (the long chord of which bears South 23° 38' 29" West 379.79 feet) 379.86 feet to Engineer's center line Station 324+98.06 Back equals 324+98.20 Ahead; thence South 21° 44' 37" West 2,296.21 feet to Engineer's center line Station 347+94.42 Back equals 347+91.20 Ahead; thence South 21° 26' 42" West 1,781.50 feet; thence on a 11,604.07 foot radius curve left (the long chord of which bears South 20° 45' 42" West 276.78 feet) 276.79 feet to Engineer's center line Station 368+49.49 Back equals 368+49.21 Ahead; thence South 20° 04' 42" West 2,524.44 feet; thence on a spiral curve right (the long chord of which bears South 22° 16' 41" West 219.87 feet) 220.00 feet; thence on a 954.93 foot radius curve right (the long chord bears South 28° 46' 56" West 70.11 feet) 70.13 feet; thence on a spiral curve right (the long chord of which bears South 35° 17' 10" West 219.87 feet) 220.00 feet; thence South 37° 29' 09" West 287.15 feet; thence on a 7,161.97 foot radius curve left (the long chord bears South 32° 05' 39" West 1,345.94 feet) 1,347.93 feet to Engineer's center line Station 415+18.84 Back equals 415+19.39 Ahead; thence South 26° 42' 09" West 1,576.80 feet to Engineer's center line Station 430+96.19.

Bearings are based on the Oregon Coordinate Reference System, Salem Zone, NAD 83 (2011) epoch 2010.00 per Benton County Survey File Number 11017.

This parcel of land contains 157 square feet, more or less, outside the existing right of way.

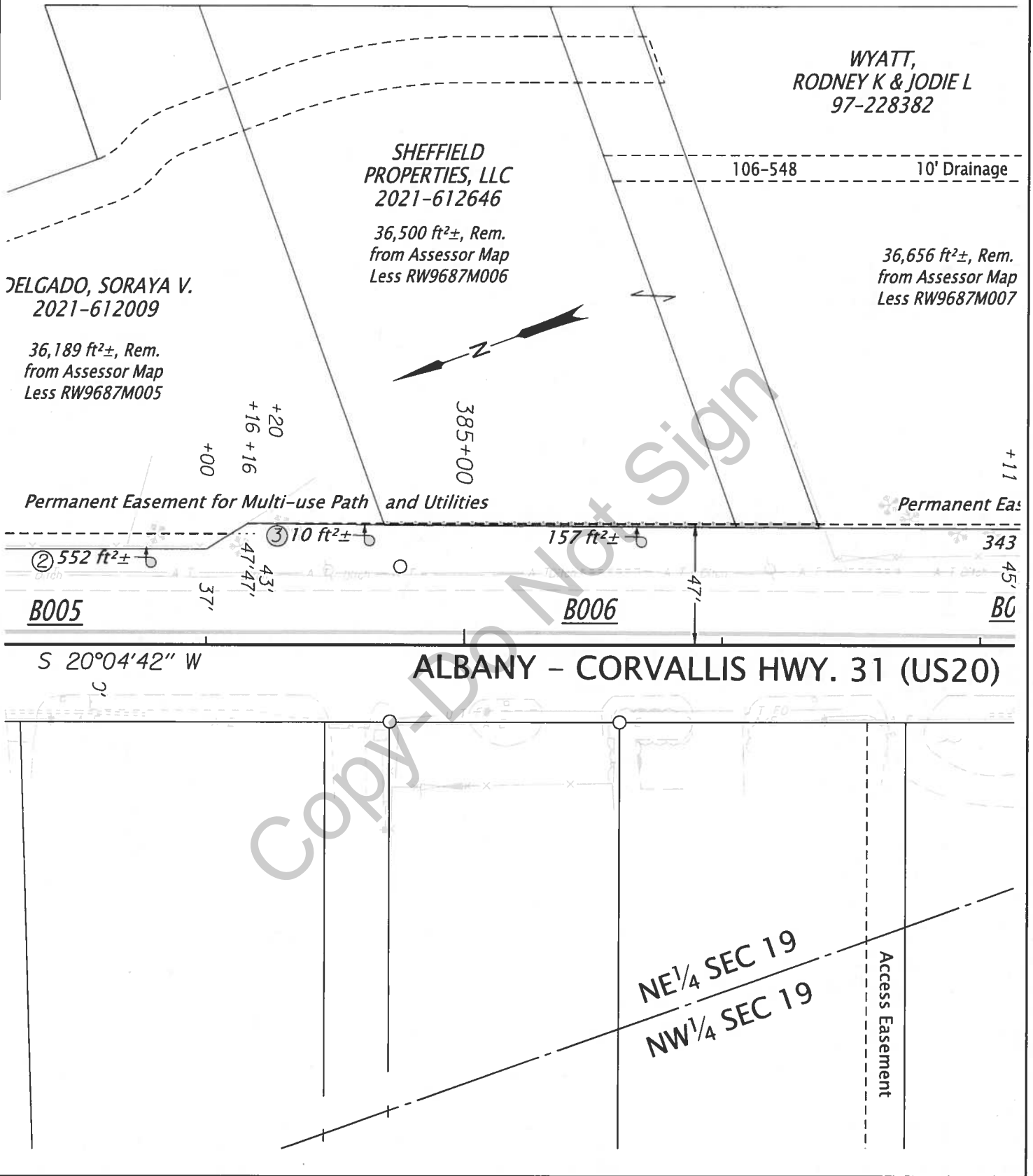
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 10, 1996
PATRICK M. GAYLORD
2767

RENEWS: 06/30/2023

SW¹/₄NE¹/₄ OF SEC. 19, T. 11 S., R. 4 W., W.M.



US-20 CORVALLIS-ALBANY MULTI-USE PATH
 (CONIFER BLVD. TO MERLOY AVE.)
 PROJECT NO. BP-CorvAlb-01-19
 BENTON COUNTY, OREGON

FILE	B006
D.E.A. NO.	BCOX0020
DATE	MAY 24, 2022
SCALE	1" = 50'

AFTER RECORDING RETURN TO:
Benton County Public Works
360 SW Avery Avenue
Corvallis, Oregon 97333

**PUBLIC UTILITY AND ACCESS EASEMENT
FOR A MULTI-USE PATH**

KNOW ALL PERSONS BY THESE PRESENTS, that **Chad R. Sky**, hereinafter referred to as Grantor, is the owner of real property described herein and does hereby and forever grant unto **Benton County, a Political Subdivision in the State of Oregon**, hereinafter referred to as the County, a permanent Public Utility and Access Easement for a multi-use path used by utilities, pedestrians and bicycles, on that certain real property described in document 2012-493773 of Benton County Deed Records Benton County, Oregon, over and along the full length and width of the premises described as follows; to wit:

REFER TO ATTACHED EXHIBIT "A" and Map
Public Utility and Access Easement

With the right, privilege, and authority, to said County, to construct, maintain, replace, reconstruct, and/or remove the access facilities and including the right to public utility companies to install, maintain, and repair public utilities, with all appurtenances incident thereto or necessary therewith, on, under and across the said premises, on said easement described in EXHIBIT "A", and to cut and remove from said easement any trees and other obstructions which may endanger the safety or interfere with the construction, use or maintenance of said easement and the right of ingress and egress to, over, and from the above described premises at any and all times for the purpose of doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted.

The County and public utility companies shall, upon each and every occasion that construction, maintenance, reconstruction, replacement, or removal occurs, restore the premises of the Grantor and any improvements disturbed by said activities to a condition as near as practicable as they were prior to any such installation or work.

Grantor reserves the right to use the surface of the premises for walkways, driveways, and related purposes that are consistent with the construction, use, and maintenance of said facility on the premises. No building or permanent structure that would enjoin the County or public utility companies from the intended purpose of this easement shall be placed on the premises.

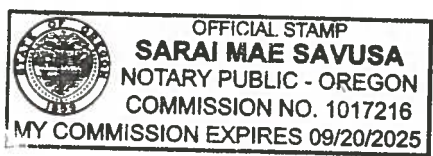
Grantor has the right to perform work as needed to protect the well as long as it doesn't negatively impact use or cause a permanent obstruction of the multi-use path.



Chad R. Sky

STATE OF OREGON)
) ss.
County of Benton)

The foregoing instrument was acknowledged before me this 12 day of April, 2023,
by Chad R Sky and _____.





NOTARY PUBLIC FOR OREGON

My Commission Expires: 09/20/2025

Accepted and Approved by the
Benton County Board of Commissioners

By: _____
Chair, Board of Commissioners

Date: _____

EXHIBIT A - Page 1 of 1

File B010
Drawing RW9687M
May 24, 2022

Permanent Easement for Multi-use Path and Utilities

A parcel of land lying in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 11 South, Range 4 West of the Willamette Meridian in Benton County, Oregon, and being a portion of that property described in a Bargain and Sale Deed to Chad R. Sky, recorded July 9, 2012 as Instrument No. 2012-493773 of Benton County Clerk Records; said parcel being that portion of said property included in a strip of land 47.00 feet in width, lying on the Easterly side of the center line of the relocated Albany-Corvallis Highway (US20), which center line is described as follows:

Beginning at Engineer's center line Station 301+59.80, said station being 3,029.74 feet South and 3,164.54 feet West of the Northeast corner of the William Taylor Donation Land Claim No. 46 situate in Section 8, Township 11 South, Range 4 West, W.M.; thence South 34° 00' 20" West 977.80 feet; thence on a 1,432.04 foot radius curve left (the long chord of which bears South 29° 46' 20" West 211.42 feet) 211.61 feet to Engineer's center line Station 313+49.21 Back equals 313+49.30 Ahead; thence South 25° 32' 20" West 768.90 feet; thence on a 5,734.58 foot radius curve left (the long chord of which bears South 23° 38' 29" West 379.79 feet) 379.86 feet to Engineer's center line Station 324+98.06 Back equals 324+98.20 Ahead; thence South 21° 44' 37" West 2,296.21 feet to Engineer's center line Station 347+94.42 Back equals 347+91.20 Ahead; thence South 21° 26' 42" West 1,781.50 feet; thence on a 11,604.07 foot radius curve left (the long chord of which bears South 20° 45' 42" West 276.78 feet) 276.79 feet to Engineer's center line Station 368+49.49 Back equals 368+49.21 Ahead; thence South 20° 04' 42" West 2,524.44 feet; thence on a spiral curve right (the long chord of which bears South 22° 16' 41" West 219.87 feet) 220.00 feet; thence on a 954.93 foot radius curve right (the long chord bears South 28° 46' 56" West 70.11 feet) 70.13 feet; thence on a spiral curve right (the long chord of which bears South 35° 17' 10" West 219.87 feet) 220.00 feet; thence South 37° 29' 09" West 287.15 feet; thence on a 7,161.97 foot radius curve left (the long chord bears South 32° 05' 39" West 1,345.94 feet) 1,347.93 feet to Engineer's center line Station 415+18.84 Back equals 415+19.39 Ahead; thence South 26° 42' 09" West 1,576.80 feet to Engineer's center line Station 430+96.19.

Bearings are based on the Oregon Coordinate Reference System, Salem Zone, NAD 83 (2011) epoch 2010.00 per Benton County Survey File Number 11017.

This parcel of land contains 346 square feet, more or less, outside the existing right of way.

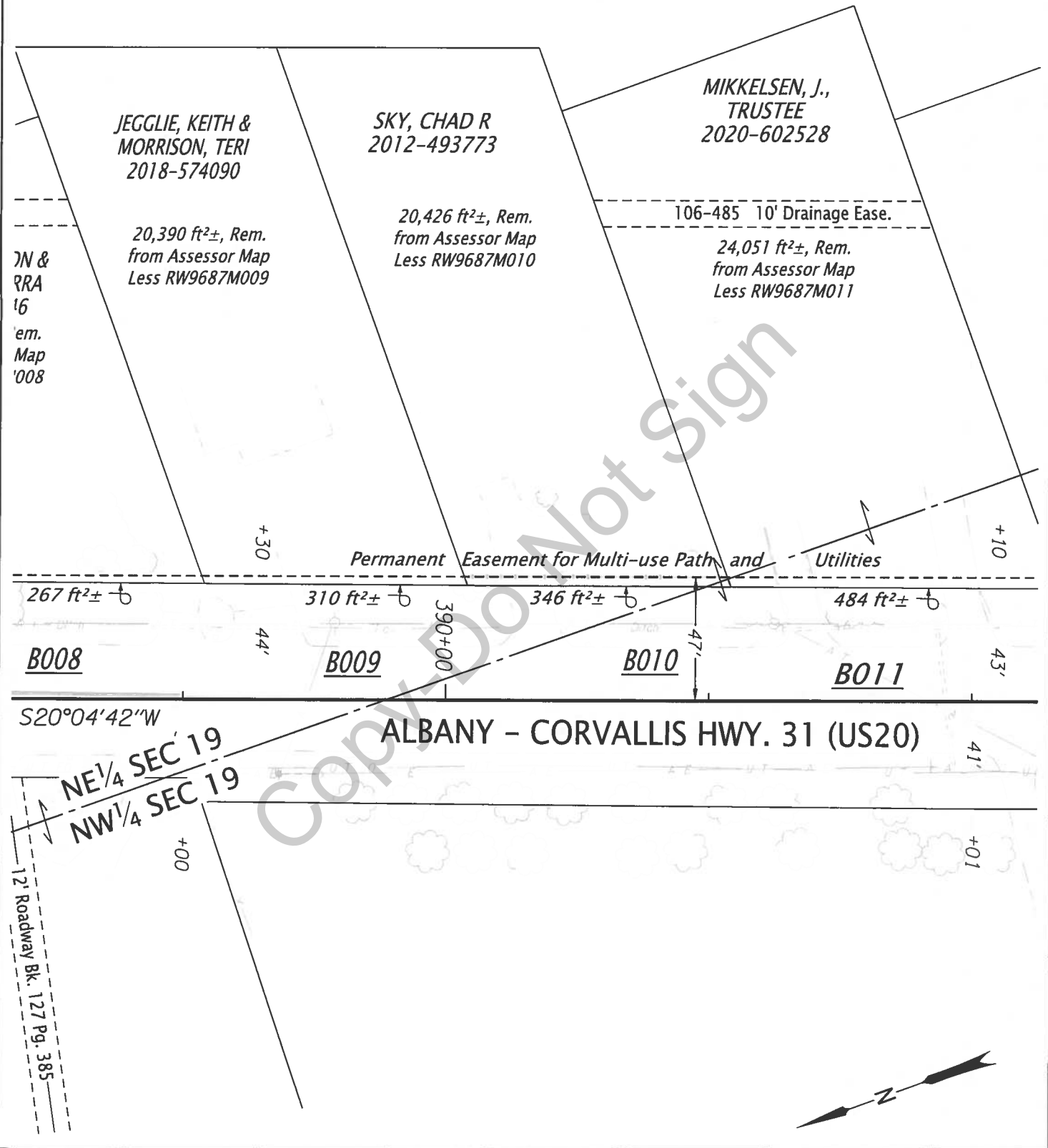
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 10, 1996
PATRICK M. GAYLORD
2767

RENEWS: 06/30/2023

SE $\frac{1}{4}$ NW $\frac{1}{4}$ & SW $\frac{1}{4}$ NE $\frac{1}{4}$ SEC. 19,
T. 11 S., R. 4 W., W.M.



7N &
PRA
16
em.
Map
'008

JEGGLIE, KEITH &
MORRISON, TERI
2018-574090

20,390 ft²±, Rem.
from Assessor Map
Less RW9687M009

SKY, CHAD R
2012-493773

20,426 ft²±, Rem.
from Assessor Map
Less RW9687M010

MIKKELSEN, J.,
TRUSTEE
2020-602528

106-485 10' Drainage Ease.

24,051 ft²±, Rem.
from Assessor Map
Less RW9687M011

Permanent Easement for Multi-use Path and Utilities

267 ft²± 310 ft²± 346 ft²± 484 ft²±

B008 B009 B010 B011

S20°04'42"W ALBANY - CORVALLIS HWY. 31 (US20)

NE $\frac{1}{4}$ SEC 19
NW $\frac{1}{4}$ SEC 19

12' Roadway Bk. 127 Pg. 385



US-20 CORVALLIS-ALBANY MULTI-USE PATH
(CONIFER BLVD. TO MERLOY AVE.)
PROJECT NO. BP-CorvAlb-01-19
BENTON COUNTY, OREGON

FILE	B010
D.E.A. NO.	BCOX0020
DATE	MAY 24, 2022
SCALE	1" = 50'

Permanent Easement for Multi-use Path and Utilities

A parcel of land lying in the SE¼NW¼ and SW¼NE¼ of Section 19, Township 11 South, Range 4 West of the Willamette Meridian in Benton County, Oregon, and being a portion of that property described in a Bargain and Sale Deed to Jerry D. Mikkelsen, Trustee of the Mikkelsen Trust Agreement dated October 20, 2020, recorded October 27, 2020 as Instrument No. 2020-602528 of Benton County Clerk Records; said parcel being that portion of said property included in a strip of land 47.00 feet in width, lying on the Easterly side of the center line of the relocated Albany-Corvallis Highway (US20), which center line is described as follows:

Beginning at Engineer's center line Station 301+59.80, said station being 3,029.74 feet South and 3,164.54 feet West of the Northeast corner of the William Taylor Donation Land Claim No. 46 situate in Section 8, Township 11 South, Range 4 West, W.M.; thence South 34° 00' 20" West 977.80 feet; thence on a 1,432.04 foot radius curve left (the long chord of which bears South 29° 46' 20" West 211.42 feet) 211.61 feet to Engineer's center line Station 313+49.21 Back equals 313+49.30 Ahead; thence South 25° 32' 20" West 768.90 feet; thence on a 5,734.58 foot radius curve left (the long chord of which bears South 23° 38' 29" West 379.79 feet) 379.86 feet to Engineer's center line Station 324+98.06 Back equals 324+98.20 Ahead; thence South 21° 44' 37" West 2,296.21 feet to Engineer's center line Station 347+94.42 Back equals 347+91.20 Ahead; thence South 21° 26' 42" West 1,781.50 feet; thence on a 11,604.07 foot radius curve left (the long chord of which bears South 20° 45' 42" West 276.78 feet) 276.79 feet to Engineer's center line Station 368+49.49 Back equals 368+49.21 Ahead; thence South 20° 04' 42" West 2,524.44 feet; thence on a spiral curve right (the long chord of which bears South 22° 16' 41" West 219.87 feet) 220.00 feet; thence on a 954.93 foot radius curve right (the long chord bears South 28° 46' 56" West 70.11 feet) 70.13 feet; thence on a spiral curve right (the long chord of which bears South 35° 17' 10" West 219.87 feet) 220.00 feet; thence South 37° 29' 09" West 287.15 feet; thence on a 7,161.97 foot radius curve left (the long chord bears South 32° 05' 39" West 1,345.94 feet) 1,347.93 feet to Engineer's center line Station 415+18.84 Back equals 415+19.39 Ahead; thence South 26° 42' 09" West 1,576.80 feet to Engineer's center line Station 430+96.19.

Bearings are based on the Oregon Coordinate Reference System, Salem Zone, NAD 83 (2011) epoch 2010.00, per Benton County Survey File Number 11017.

This parcel of land contains 484 square feet, more or less, outside the existing right of way.

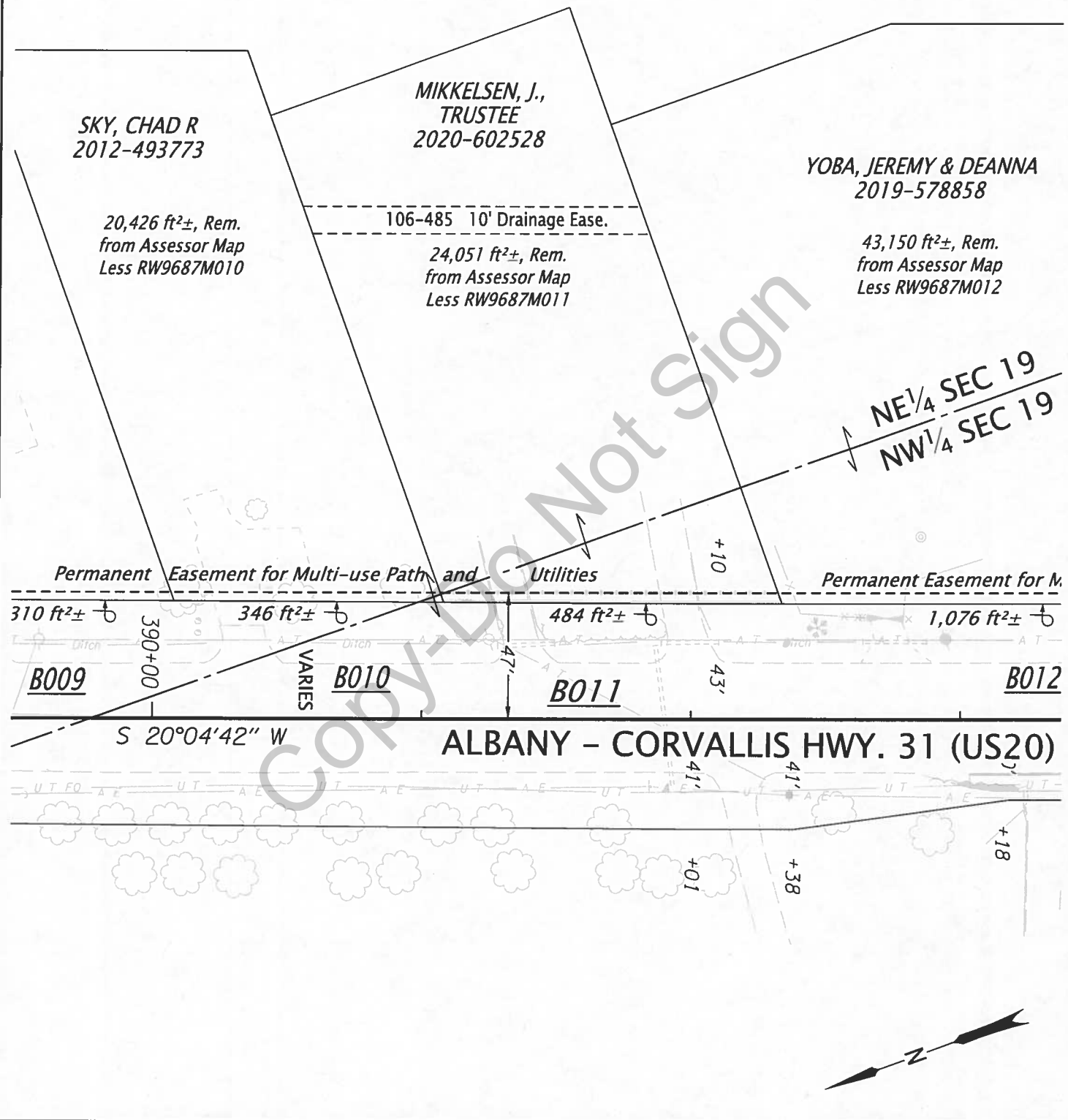
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 10, 1996
PATRICK M. GAYLORD
2767

RENEWS: 06/30/2023

SE $\frac{1}{4}$ NW $\frac{1}{4}$ & SW $\frac{1}{4}$ NE $\frac{1}{4}$ SEC. 19,
T. 11 S., R. 4 W., W.M.



US-20 CORVALLIS-ALBANY MULTI-USE PATH
(CONIFER BLVD. TO MERLOY AVE.)
PROJECT NO. BP-CorvAlb-01-19
BENTON COUNTY, OREGON

FILE	B011
D.E.A. NO.	BCOX0020
DATE	MAY 24, 2022
SCALE	1" = 50'

AFTER RECORDING RETURN TO:
Benton County Public Works
360 SW Avery Avenue
Corvallis, Oregon 97333

**PUBLIC UTILITY AND ACCESS EASEMENT
FOR A MULTI-USE PATH**

KNOW ALL PERSONS BY THESE PRESENTS, that **Jason Douglas and Terra A. Stroup**, hereinafter referred to as Grantor, is the owner of real property described herein and does hereby and forever grant unto **Benton County, a Political Subdivision in the State of Oregon**, hereinafter referred to as the County, a permanent Public Utility and Access Easement for a multi-use path used by utilities, pedestrians and bicycles, on that certain real property described in document 2010-471246 Benton County Deed Records Benton County, Oregon, over and along the full length and width of the premises described as follows; to wit:

REFER TO ATTACHED EXHIBIT "A" and Map
Public Utility and Access Easement

With the right, privilege, and authority, to said County, to construct, maintain, replace, reconstruct, and/or remove the access facilities and including the right to public utility companies to install, maintain, and repair public utilities, with all appurtenances incident thereto or necessary therewith, on, under and across the said premises, on said easement described in EXHIBIT "A", and to cut and remove from said easement any trees and other obstructions which may endanger the safety or interfere with the construction, use or maintenance of said easement and the right of ingress and egress to, over, and from the above described premises at any and all times for the purpose of doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted.

The County and public utility companies shall, upon each and every occasion that construction, maintenance, reconstruction, replacement, or removal occurs, restore the premises of the Grantor and any improvements disturbed by said activities to a condition as near as practicable as they were prior to any such installation or work.

Grantor reserves the right to use the surface of the premises for walkways, driveways, and related purposes that are consistent with the construction, use, and maintenance of said facility on the premises. No building or permanent structure that would enjoin the County or public utility companies from the intended purpose of this easement shall be placed on the premises.



Jason Douglas




Terra A. Stroup

STATE OF WASHINGTON)
OREGON)
County of King) ss.
Benton)

The foregoing instrument was acknowledged before me this 29 day of June, 2023,
by Jason Douglas and Terra A. Stroup.





NOTARY PUBLIC FOR OREGON
WASHINGTON)
My Commission Expires: 04-09-27

Accepted and Approved by the
Benton County Board of Commissioners

By: _____
Chair, Board of Commissioners

Date: _____

EXHIBIT A - Page 1 of 1

File B008
Drawing RW9687M
May 24, 2022

Permanent Easement for Multi-use Path and Utilities

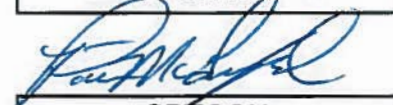
A parcel of land lying in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 11 South, Range 4 West of the Willamette Meridian in Benton County, Oregon, and being a portion of that property described in a Statutory Bargain and Sale Deed to Jason Douglas and Terra A. Stroup, recorded October 18, 2010 as Instrument No. 2010-471246 of Benton County Clerk Records; said parcel being that portion of said property included in a strip of land 47.00 feet in width, lying on the Easterly side of the center line of the relocated Albany-Corvallis Highway (US20), which center line is described as follows:

Beginning at Engineer's center line Station 301+59.80, said station being 3,029.74 feet South and 3,164.54 feet West of the Northeast corner of the William Taylor Donation Land Claim No. 46 situate in Section 8, Township 11 South, Range 4 West, W.M.; thence South 34° 00' 20" West 977.80 feet; thence on a 1,432.04 foot radius curve left (the long chord of which bears South 29° 46' 20" West 211.42 feet) 211.61 feet to Engineer's center line Station 313+49.21 Back equals 313+49.30 Ahead; thence South 25° 32' 20" West 768.90 feet; thence on a 5,734.58 foot radius curve left (the long chord of which bears South 23° 38' 29" West 379.79 feet) 379.86 feet to Engineer's center line Station 324+98.06 Back equals 324+98.20 Ahead; thence South 21° 44' 37" West 2,296.21 feet to Engineer's center line Station 347+94.42 Back equals 347+91.20 Ahead; thence South 21° 26' 42" West 1,781.50 feet; thence on a 11,604.07 foot radius curve left (the long chord of which bears South 20° 45' 42" West 276.78 feet) 276.79 feet to Engineer's center line Station 368+49.49 Back equals 368+49.21 Ahead; thence South 20° 04' 42" West 2,524.44 feet; thence on a spiral curve right (the long chord of which bears South 22° 16' 41" West 219.87 feet) 220.00 feet; thence on a 954.93 foot radius curve right (the long chord bears South 28° 46' 56" West 70.11 feet) 70.13 feet; thence on a spiral curve right (the long chord of which bears South 35° 17' 10" West 219.87 feet) 220.00 feet; thence South 37° 29' 09" West 287.15 feet; thence on a 7,161.97 foot radius curve left (the long chord bears South 32° 05' 39" West 1,345.94 feet) 1,347.93 feet to Engineer's center line Station 415+18.84 Back equals 415+19.39 Ahead; thence South 26° 42' 09" West 1,576.80 feet to Engineer's center line Station 430+96.19.

Bearings are based on the Oregon Coordinate Reference System, Salem Zone, NAD 83 (2011) epoch 2010.00 per Benton County Survey File Number 11017.

This parcel of land contains 267 square feet, more or less, outside the existing right of way.

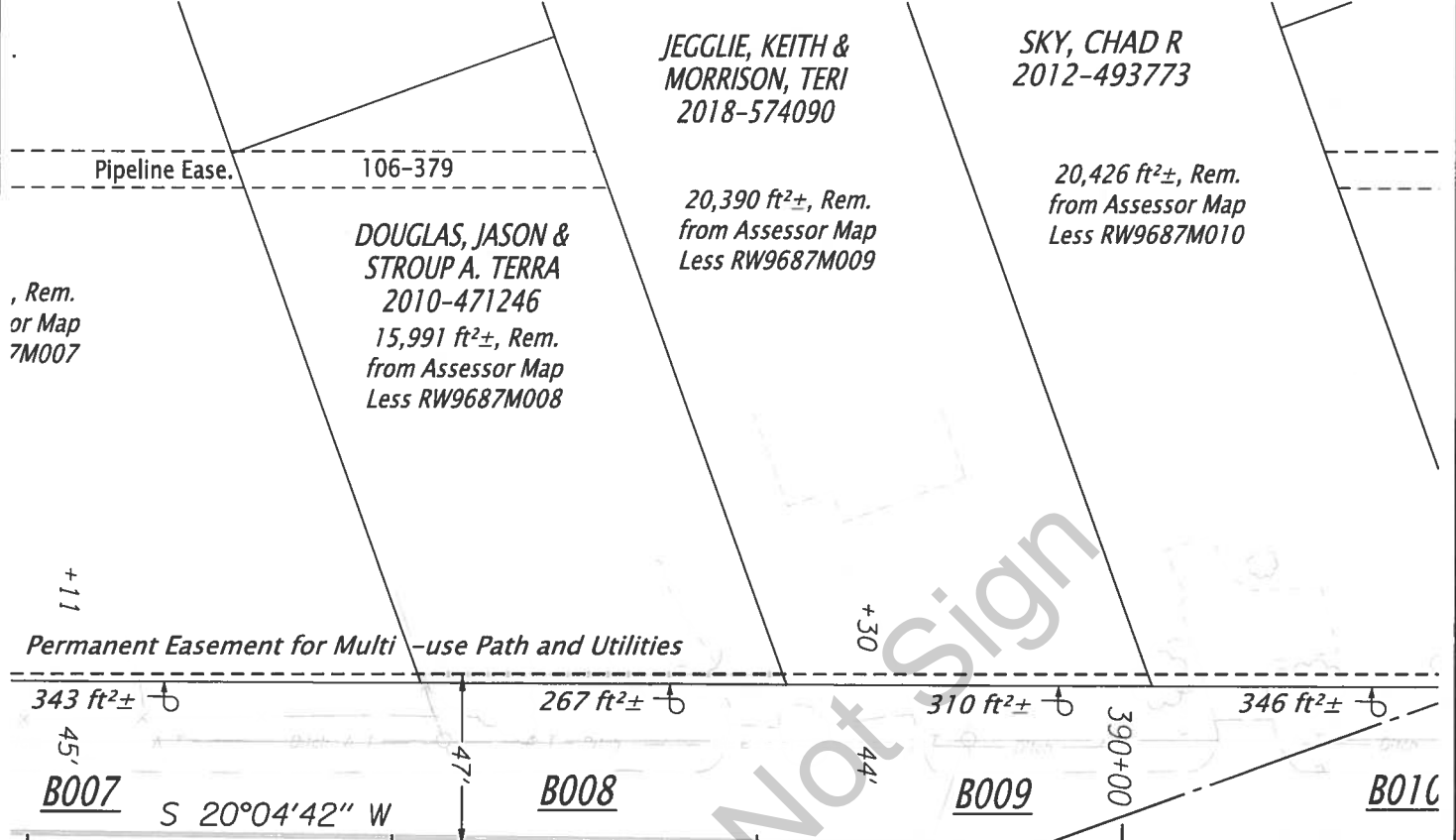
REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 10, 1996
PATRICK M. GAYLORD
2767

RENEWS: 06/30/2023

SW¹/₄NE¹/₄ OF SEC. 19, T. 11 S., R. 4 W., W.M.



ALBANY - CORVALLIS HWY. 31 (US20)

NE¹/₄ SEC 19
NW¹/₄ SEC 19

12' Roadway Bk. 127 Pg. 385



US-20 CORVALLIS-ALBANY MULTI-USE PATH
(CONIFER BLVD. TO MERLOY AVE.)
PROJECT NO. BP-CorvAlb-01-19
BENTON COUNTY, OREGON

FILE	B008
D.E.A. NO.	BCOX0020
DATE	MAY 24, 2022
SCALE	1" = 50'