



Board of Commissioners

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MINUTES

BOARD OF COMMISSIONERS GOAL-SETTING MEETING

October 10, 2023, 9:00 AM

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

Elected Official: Jef Van Arsdall, Sheriff

Staff: Tomi Douglas, Director of Natural Areas, Parks, and Events; Sarah Siddiqui, Diversity, Equity and Inclusion Coordinator; April Holland, Interim Director of Health Services; Rebecca Taylor, Health Services; Cory Grogan, Public Information Officer; Rick Crager, Chief Financial Officer; Amanda Makepeace, Recorder; Erika Milo, Board Staff

Guests: Arlene Merems, Resident

1. Opening

- 1.1 Chair Malone called the meeting to order at 9:03 AM.
- 1.2 Introductions were made.
- 1.3 There were no announcements

2. Review and Approve Agenda

The agenda was approved.

3. Discussion Topics

- 3.1 ***Discussion Regarding the Exotic Animal Ordinance** – Tomi Douglas; Natural Areas, Parks, and Events

Douglas requested Board direction on whether to keep, amend, or repeal the existing Exotic Animal Ordinance (EAO). The two main changes in the draft revision are: changing the animal names from Latin taxonomy to plain English and clarifying that the Future Farmers of America (FFA) and the 4-H Club would be exempted from the EAO so the Benton County (BC) Fairgrounds can host the groups' activities. Both the Fair Board (FB)

and Fair staff requested the EAO specify the BC Fair is exempt and assure the community there was no intent for the EAO to harm animals or wildlife.

Wyse had provided some edits via email (Exhibit 1) to Douglas and the Board, including removal of the third 'whereas' in the document.

Douglas commented that was a change requested by the work group, noting Augerot and Malone were also willing to strike the third 'whereas.' Douglas felt this change was a good concession to the FB, which found much of the language overly harsh and irrelevant.

Wyse concurred with the tone of the language. The next paragraph touches on the protection of the workers in public.

Wyse requested clarification of the pros and cons, noting if there were no wild animal acts at the Fair, the Board might not need to draw attention to the topic. Wyse wondered about unintended consequences.

Douglas said the draft includes clarification of the words 'Fair' and 'Fairgrounds'. The Fair includes 4-H and FFA events, which are community events, and should remain unchanged. The BC Fairgrounds is a different question, and the EAO means a traveling circus could not perform at the Fairgrounds. Fair staff felt comfortable with the Ordinance covering the Fair, but the code is so broad it might allow future events that fail to meet community practices, thus the exemption request.

Augerot noted the Fairgrounds Exhibit Hall had previously hosted exotic animals, which was the reason for the original EAO. Augerot had concerns over contracting with an exhibitor with a show that was lethal to the animals at the time and not aligned with the EAO. Augerot wondered if BC would still allow such shows.

Douglas replied as long as BC books the acts, no future acts harming animals would be booked. BC could codify in the administrative rules disallowing circuses as a second layer of protection. There is no language that allows community members to bring in an act not specifically approved by BC. Additionally, County Counsel, who reviews all FB contracts, is another layer of protection. Douglas will research and then tighten up the administrative rules around the Fairgrounds.

Wyse stated that without having specific written language, the Ordinance should not move forward. Operating the Fair with the knowledge not to book certain acts does not feel like the correct method; an ordinance would provide some protection against claims of discrimination. In future, if an individual would like to display an exotic animal at the BC Fair, the existing Ordinance exempts the exhibitor; technically, the Fair should allow the wild animal to be displayed.

Douglas replied that is not possible operationally, as BC proactively books acts.

Wyse commented that in future, when current County employees might no longer be present, people might ask why the County has this procedure which is not codified.

Douglas replied that she could not address the future, but believed prohibited activities could be controlled by putting clear language in the administrative operations rules.

Wyse noted the role of Commissioner is to consider both the current situation and the future.

Malone suggested a decision now was unnecessary. It would be helpful to have an outline policy for future reference that backs up the EAO and details how changes would

affect the BC Fair. Please include a clear definition of the Fair and its roles and responsibilities.

Augerot commented an outline policy would be helpful.

Wyse expressed discomfort with exempting the BC Fair, due to the possible implications. It is difficult to envision all possibilities rather than stating 'not exempted.'

Douglas replied 4-H and FFA comprise most of the Fair's activities; no prohibited animals should be involved.

Augerot noted discomfort regarding the 13 other entertainment venues associated with the BC Fair, as there has been confusion in the past about those activities. Augerot wanted the policy to be as clear as possible without Counsel having to interpret. A clarifying document which is understandable to everyone, including potential exhibitors, would be appreciated.

Malone stated the confusion lies with the original EAO, which came from Animal Defenders International.

Counsel observed Douglas had earlier suggested that developing a policy might assure the Board, the community, and vendors about what is permitted at the BC Fair. If the Board favored that approach, Counsel suggested that the policy require approval from the Board of Commissioners and the FB.

Augerot would be comfortable with the exemption language if a policy were in place.

Wyse expressed conditional support, stating a policy would involve a great deal of extra work. Wyse doubted the need for a policy. The Board has delayed this matter for a long time, and Wyse preferred to adopt a policy and move on.

Douglas noted a policy could be drafted quickly.

Wyse favored including the Rodeo in the policy draft, since the Rodeo and FFA do not use exotic animals. Wyse noted another community concern was having a large enough fine to deter exhibitors from violating the EAO.

Douglas researched fees for a similar ordinance, reasoning if exhibitors violated the ordinance, it would be for economic reasons. The consequences should be economically discouraging.

Wyse stated the meeting materials suggest a \$500-\$1,000 fine and asked Douglas if a higher amount would be more appropriate.

Croney confirmed the suggested fine amount aligned with BC's other fines.

Wyse suggested removing the word 'legitimate' on page three, Section 9.810, Subsection [2][b] of the EAO documentation. Wyse felt 'licensed academic research and education' better expresses the idea of legitimacy.

Douglas wanted to allow some leeway, such as for school groups with strong missions, even if those are not licensed at the Federal or State level. Douglas supported Wyse's removal of the word 'legitimate' as the word could be manipulated.

Croney requested confirmation that the Board wished to return rodeos as an exempted activity, but accept Wyse's other amendments to Section 9.810, Subsection [2][b].

Wyse clarified to exempt 4-H, rodeos, and FFA.

Croney confirmed returning rodeos to the list of exemptions but keeping the BC Fair off the list.

Wyse confirmed and asked whether rodeos are held in BC that are not part of the BC Fair.

Douglas requested that the rodeos associated with the BC Fair be exempted. Touring rodeos should be held to the rest of the EAO as those exhibitors might bring in random animals. Local rodeos are organized by the Rodeo Committee, whereas national, professional, and commercial rodeos do not have County affiliation.

County Counsel and Douglas will develop appropriate language to distinguish affiliation with larger organizations or with the County. Douglas would prefer a document clearly defining which affiliated rodeos are or are not acceptable.

Augerot noted the County does not want to give carte blanche to exhibitors who will not uphold the EAO.

Wyse asked Augerot and Malone about removing the third 'whereas'.

Augerot felt comfortable doing so.

Malone summarized that the main change in Wyse's edits was to remove the BC Fair wording or leave that open until the policy revision is finished.

Augerot preferred a clear ordinance without a second layer.

Counsel stated that everything Wyse presented, except for the Rodeo, which will have a clarifying adjective added, will be included in the proposed EAO. Counsel noted Wyse and Augerot did not wish to exempt the Fair from the proposed EAO, whereas Malone did wish to do so.

Malone's concern was the confusion between Latin and English terminology. Malone recalled the past stingray exhibit problem and stated there is some evidence that handling is not lethal to stingrays.

Augerot revised Malone's statement to 'not lethal in the short term' and noted that repeated handling over a period of days could harm stingrays due to contaminants or diseases. Augerot suggested consulting the aquaculture and exotic fish scientists at Oregon State University (OSU).

Malone mentioned reading a study indicating that handling did not harm stingrays. The past stingray exhibit was advertised, but no objections were made until the exhibit had arrived in BC.

Augerot noted using plain English in the revised EAO would clarify the matter. Processes need to be established at the Fair so staff can understand the EAO and share it with any potential exhibitor. The stingray exhibit demonstrated a lack of appropriate process.

Douglas confirmed new processes are now in place: exhibitors, especially those focusing on animals, are asked to acknowledge receiving and reading the EAO. The current EAO is difficult to enforce due to the Latin names and because staff may not be trained in animal taxonomy. Since the EAO passed, staff have put processes in place to communicate which exhibits are or are not acceptable. However, the County can still do more by outlining those parameters in policy documents.

Malone hoped that adversarial roles on this matter could be avoided in future. Malone was certain no individual wants to mistreat animals and wished to make that clear in the proposed EAO.

Douglas agreed that everyone present wishes to take care of animals.

Augerot stated no one is accusing FFA or 4-H of animal abuse; that was never the County's intent.

Douglas asked if this should be an amendment or a new Ordinance.

Counsel responded the amendment to the existing EAO will come via Ordinance; Counsel and Douglas will produce a revised Ordinance and a redline version to be presented at a Public Hearing.

Wyse clarified the Board's intent is not to repeal the old EAO until the new one is ready. Counsel confirmed. Douglas confirmed the current EAO is still in effect.

Augerot asked Counsel to confirm the following process: the Ordinance will be prepared; a Public Hearing will be held; the draft Ordinance will be published in the meeting packet so all community members can see it in advance and approach the Board; the Board will deliberate again; and the first reading will be made. If the Ordinance is not confirmed then, it would return for a second reading after a favorable vote. Augerot noted this process could take six weeks.

Counsel confirmed, but with a caution that changes made at the first Public Hearing could result in a continuation, causing delay. However, if the process goes smoothly, the changes would be in BC Code by January 1, 2024.

Douglas confirmed this timeline would provide time to resolve internal policy gaps; Natural Area, Parks, and Events (NAPE) will have refreshed certain policies by then. Specific exemptions around circuses will be added as well.

{Exhibit 1: Wyse Email Regarding Draft EAO Edits}

3.2 Equity, Diversity, and Inclusion Program Update – Sarah Siddiqui, Equity, Diversity, and Inclusion (EDI)

Siddiqui presented on the current BC EDI program and noted a plan to provide quarterly updates. Siddiqui defined the words diversity, inclusion, and equity (see presentation).

Augerot asked whether the diversity definition refers specifically to gender or ability, and whether the definition should be broader.

Siddiqui said diversity also refers to diversity in abilities, language, socioeconomic status, or housing status, and other human categories.

Siddiqui explained the background of the EDI program, which was created in 2021, and shared BC demographics, including languages spoken, race and ethnicity, types of disabilities, ages of residents, and other identities.

Language services was a key need when Siddiqui took on the EDI role in December 2022; for instance, individuals who needed an interpreter were not attending their medical appointments. BC contracted with Linguava for interpretation and translation. After Linguava's pilot year with BC, staff identified gaps in service, resulting in a transition to Language Line Solutions for audio or video interpretation, Tri-County for in-person American Sign Language interpreters, and Professional Interpreters for in-person interpretation of additional languages. Language Line also created a manual which is now posted on the Benton Employee Engagement website (The BEE).

Augerot noted some BC staff are still translating documents and asked about the difference between internal and contract work.

Siddiqui confirmed BC staff provide interpretation and translation support. Human Resources has a process to measure an employee's ability to speak a language and likelihood of providing language service in their role; the employee receives a pay differential. In some situations where a translation service was unavailable, staff have provided translation services. However, Siddiqui encouraged use of contracted language services rather than staff whose position descriptions do not include translation.

Siddiqui discussed the countywide equity assessment slated for the end of 2023. BC has not yet reached an agreement with the Government Alliance on Race and Equity (GARE) because of due diligence to ensure the assessment meets County needs. GARE assessments use anonymous surveys to protect employee identity.

Siddiqui discussed EDI communications. Siddiqui uses plain language principles when providing EDI trainings to County staff. The Information Technology (IT) Department has supported incorporating an EDI lens into County website redevelopment. Siddiqui is working on the language access disclaimer in the website footer to enable visitors to use language options for appointments, service, and outreach materials.

Siddiqui discussed work on the Restroom Access Policy, which highlights access for individuals with a variety of needs.

Malone commented on the phrase 'language access disclaimer', noting for him, 'disclaimer' means restrictive 'fine print'. Malone felt what Siddiqui described was the opposite and asked for the phrase to be changed.

Siddiqui agreed to use a different phrase, then explained the Language Services Policy will support language access for BC's diverse community, protect BC and its residents, and provide consistency in meeting community needs.

Siddiqui discussed work on the Affirmative Action Plan and recruitment strategies in collaboration with Human Resources (HR) Assistant Director Erik Wolke. Siddiqui explained the Equity Committee partners with the Health in All Actions Committee. Siddiqui orients new employees on a quarterly basis, primarily regarding language services.

Siddiqui developed a draft framework for engagement with tribal nations, which will involve collaboration with Oregon Tribes. Land acknowledgments are the first step of continuous collaboration with Tribal Nations. BC has a land acknowledgement draft for use by any County department or committee.

Siddiqui held a Diversity Dialogue event on June 28, 2023 as part of Pride Month. County staff indicated feeling a sense of belonging and acknowledgment as a result of the dialogue. The County held a Hispanic-American Heritage Celebration on October 3, 2023, which prompted positive feedback from staff. Siddiqui and Grogan have developed an internal process to engage more community partners during Proclamation readings.

Siddiqui performed initial research on a contractor for Countywide training and development and is currently in contact with Courageous Conversations. Siddiqui discussed upcoming projects.

Malone confirmed the county website needs to be updated prior to the new version to be released in a few months.

Crager commented that equity work starts with sufficient quantities of training, willingness to understand, and intentional discussions.

Augerot felt Courageous Conversations was a productive training. Augerot would like trainings to be more accessible to staff. The Leadership Team has completed trainings but has yet to employ those tools.

Wyse asked if the County has an EDI mission statement and would like to see one on the new County website.

Siddiqui responded a mission statement is not yet a Countywide initiative, but agreed this is a timely opportunity to develop one.

Augerot concurred and encouraged considering how EDI fits into the plan overall.

3.3 Coordinated Homeless Response - Strategic Plan Adoption Update and Process Discussion – April Holland, Rebecca Taylor; Health Services

Staff requested direction about elements of the homeless response system. It is important to understand the multiple Memoranda of Understanding (MOUs) with the City of Corvallis, BC, and Community Services Consortium (CSC) which were signed in September 2023, representing several years' effort.

Taylor is the project manager, grant writer, and researcher for Home, Opportunity, Planning, and Equity (HOPE). Augerot and HOPE program coordinator Julie Arena pursued House Bill (HB) 4123 to locate additional resources and a framework for the community's response to homelessness. Research led to community conversations about HB 4123 relative to previous community efforts, including the ten-year plan, the ten-year plan update, and policy recommendations.

Taylor explained how BC's five-year strategic plan captures the community work needed around homelessness, including the roles of the HOPE Board, the County, and the strategic plan. HB 5019 allotted funds for a planning template to coordinate investment efforts and resources and required an advisory board to adopt the strategic plan.

There needed to be some separation between the operations required by the municipalities and the community's public engagement piece. BC staff explored how the Advisory Board would function in the context of HB 4123; the Intergovernmental Council (IGC) was recommended as the body to adopt the strategic plan and align the operations of the MOU jurisdictions. HOPE Advisory Board Bylaws were revisited to clarify roles and responsibilities. The recommendation was to merge the responsibilities, representation, and components of the Executive Committee to effectively meet the needs of city and county partners, as well as communicate with the Board of Commissioners about amendments to the HOPE Bylaws.

Augerot said it makes sense to acknowledge the co-executive board as having an IGC now due to more municipal involvement, more community and external partners, and funding from different sources.

Holland wanted to hear more regarding adjustments needed to incorporate HB 4123 requirements into the membership of the executive committee and mentioned conversations with Crager about a structure similar to an IGC.

Crager pointed out making a true difference around homelessness often starts with government policy. If governments can together devise mutually agreed-upon strategies

and policies while removing service barriers, there is value when all jurisdictions agree on one strategy.

Augerot noted no IGC can make decisions for municipalities.

Holland shared that as this infrastructure grows, there is value to city and county managers convening in a Board Meeting or a different venue. Holland believed if the strategic plan were adopted by city managers and Board members, it would be a disservice to community members doing this work because they are the subject matter experts. Holland felt the HOPE Executive Committee should be re-centered in this HB 4123 adoption.

Taylor noted there are a few other HB 4123 communities with multiple counties. While forming the IGC, some communities had concerns about the format, not fully understanding the scope and responsibilities. HB 4123 requires a level of coordination with an elected official from each member government of the adopting Advisory Board. The purpose of the discussion is to understand what needs to be accomplished with the Executive Committee and not simply to appoint the Executive Committee as currently written in the HOPE Bylaws.

Wyse asked about another option, to update the existing Memorandum of Understanding (MOU) and Intergovernmental Agreement (IGA) and make some MOUs and IGAs on the side to designate the HOPE Executive Committee as the IGC. Wyse voiced this question should there ever arise a time the county might want to untangle the two; it would be easier to simply repeal them and create a different IGA, rather than re-doing the IGAs and MOUs a third time.

Taylor responded the current HOPE Bylaws define the roles and responsibilities of the HOPE Advisory Board, which are now being accomplished by staff and believes it is important to look at the HOPE Bylaws to ensure they acknowledge the existing operational infrastructure. Reducing the amount of bureaucracy would be preferable, but it is important to consider transparency for operations and community engagement.

Wyse wondered if these conversations have been held with Corvallis or the Community Services Consortium (CSC) yet.

Taylor explained the CSC has been alerted. Feedback was received from Corvallis specifically about the structure of their advisory boards; the guidance was the county must initiate the amendment. There is an Executive Committee meeting tomorrow, October 12, 2023, where discussion will occur with the HOPE Advisory Board.

Wyse said hypothetically, if the Board chose not to make any amendments, the process would return to the initial stage, then asked if any concerns were heard from staff.

Taylor responded staff have not raised concerns.

Augerot preferred spending less time on IGAs and structures, though there needs to be the right structure for true potential collaboration and participation for the smaller partners. Augerot could envision the coordinated regional office hosting a policy summit or a mini conference to include council members, small cities, Corvallis, and BC Commissioners to look closely at these issues.

Taylor appreciated Augerot's desire to establish the correct structure. One of the options contemplated was HOPE's role as a coordinated office. While amendment of MOUs and IGAs might be considered a waste of time, ambiguity will waste more time.

Malone asked for clarification of the current status and the differences between the HOPE Executive Committee and the Intergovernmental Council.

Taylor said the Executive Committee was informing the agenda development of the HOPE Advisory Board by choosing and focusing the scope of the HOPE Advisory Board. The HOPE Advisory Board, as required by HB 4123, was to guide the work of the Coordinated Homeless Response Office and various ways to align the operations of each member government. Because of the potential operational influence of the IGC or the Advisory Board, staff wanted a clear separation between the Executive Committee and the IGC. There is a level of engagement needed from the HOPE Advisory Board because of the expertise and the membership commitments, but if small changes to the HOPE Bylaws could make it so, the Executive Committee could fulfill the operational guidance component without creating another advisory board.

Augerot responded that makes sense.

Holland informed the Board of a return with a recommendation and amendments from HOPE to the October 24, 2023 Board Meeting.

Malone asked if HB 5019 awarded funding.

Taylor said HB 5019 is specifically around the declaration of emergency via Governor Tina Kotek's Executive Order about homelessness, which did not originally include the Rural Continuum of Care; the budget implementation of HB 5019 allocated money to those non-included communities. BC received funds for shelter activities and a rapid rehousing award currently under development with community partners to fund the rehousing of 31 individuals by June 2025.

Wyse noted the amount as \$1.2 million for rehousing and the cold weather shelter.

Taylor confirmed that amount.

3.4 Board Meeting Public Participation and Comment Procedures – Benton County Commissioners

Malone described public comment at the beginning of Board Meetings where an individual presents information to the Board which becomes part of the minutes. Commissioners sometimes comment on the presentation or engage with the presenter, and other times do not comment. Clarity is needed regarding the expectation of the Board, whether the individual wishes to briefly present information or engage in debate or dialogue based on the information.

Augerot said prior to the COVID-19 pandemic, there was less Board engagement with public commenters because the hybrid online/in-person meeting environment did not exist. Public comments were rare, but the Board often engaged with commenters to provide clarification. Augerot also noted no previous time limitations for public comments.

Augerot preferred to reserve the right to ask questions to help public commenters. Often an Agenda item related to the comment occurs much later in the meeting, when the

individual does not have a role to provide input. Though a public comment may not be related to a specific agenda item, Augerot felt strongly about being able to address it. While it has been the Board Chair's prerogative to direct the meeting, it makes sense to discuss and agree on a procedure lasting beyond a one-year term.

Wyse also wanted to reserve the right to ask follow-up questions or respond to a public comment but did not want commenters to believe they were guaranteed a conversation in the moment, nor that they were granted unlimited time. Wyse believed staff appropriately looks for a solution or offers guidance after a public comment on a specific matter.

Counsel said informing individuals of a time limit creates a self-regulating presentation, but noted many public comments contain specific questions which might best be directed to another department's subject-matter experts.

McEneny noted a public comment limit of five minutes would encourage individuals to carefully construct comments to quickly get the resources or answers they seek. McEneny agreed with Wyse it could be helpful to be able to respond to comments, especially if clarification is needed.

Malone was in favor of a time limit and felt three minutes is reasonable and supports clarifying comments between the Board and public commenters. Malone appreciated Counsel's comment about expertise; Commissioners may not have more expertise than department heads.

Wyse commented individuals can connect with the Board by telephone or email. If the individual's message takes more than three minutes, the individual can bring a companion to the meeting who can lend their public comment time to the individual.

McEneny acknowledged the Board's need for a time clock.

Wyse suggested a model that can alert individuals to the time remaining to avoid the awkwardness of interrupting individuals asking them to finish their comment.

Malone agreed a clock would be a more efficient and helpful method.

3.5 County Administrator Updates – Rachel McEneny, County Administrator

McEneny attended two receptions and met thoughtful, frank, and direct staff members who are mission-based and supportive of BC and its employees. For the remainder of October 2024, McEneny will meet with department directors on current projects, needs, and roles. McEneny is spending time with Commissioners to learn their priorities and backgrounds and looks forward to learning more about the organization.

3.6 Commissioner Updates – Benton County Commissioners

Wyse noted receiving a telephone call from a resident with concerns about multiple submittals of a floodplain permit to Community Development (CD). The resident did not want to make a formal complaint but did want to begin a conversation.

McEneny asked if Wyse had received a response from CD Director Darren Nichols.

Wyse indicated Toby Lewis, CD, was in contact with the resident.

Malone met with Albany, Oregon Mayor Alex Johnson. It is important to build mutually supportive relationships. Malone shared the Board participated in a recent timber and agricultural tour, including Starker's Forest and Hull Oaks Lumber Company, which has the only steam-powered lumber mill in the country.

Malone met with Oregon Senator Sarah Gelsler Blouin on October 9, 2023. As Representative Dan Rayfield may run for an elected position, Gelsler Blouin will become even more important to BC as the local Senator.

Augerot attended several non-profit events in the community, including a fund-raising campaign for a land trust in BC that expanded outward into Linn, Polk, Marion, and Lane Counties. Augerot also attended celebrations for an Arts Center and the new Foundation for ABC House, a non-profit provider assisting abused children, which is based in Linn County and also serves BC. Augerot attended mandatory Legislative Equity Office training as Augerot is considered a lobbyist. Responding to a question from Malone, Augerot replied the training is due by the end of 2023.

Augerot reported on Association of Oregon Counties (AOC) meetings on October 9, 2023. The Legislative Committee is preparing for the upcoming legislative session. Augerot expected little new legislation but did expect modifications to current legislation. Reform of Measure 110 (decriminalizing street drugs) is a topic of great interest; currently, the civil penalty provides no incentive to enter treatment, drug court, or a diversion program. A cadre of AOC members wants to recriminalize possession, while some members want to bolster detoxification and treatment resources. If recriminalization occurs, there will not be enough funds to provide treatment. More than 50% of the voting members committee decided to discuss reforms. AOC will likely form a work group from the Health and Public Services Steering Committees.

Augerot shared the other controversial element discussed was the change to AOC Bylaws requiring candidates for Executive Office positions to provide 48-hour advance notice to membership. Some members do not want to require any kind of notice; AOC has not reached a consensus. The group did recommend taking this proposed Bylaw change to the membership in November 2023. Augerot asked fellow Board Members to attend the AOC annual meeting. The 2023 AOC Conference occurs on November 13-16, 2023.

Augerot will sit on the Willamette Criminal Justice Council's Justice Reinvestment review panel for proposals in the City of Salem on October 16, 2023.

Augerot will present to the Linn-Benton Housing Authority Board on October 17, 2023. Augerot and McEneny will participate in a ride-along with BC Dial-A-Bus. AOC asked Augerot to attend a Youth Behavioral Health Summit in the City of Eugene on November 2, 2023, organized by Representative Charlie Conrad's staff. The summit will focus on M110 reform through the lens of juvenile involvement with illicit drugs. Augerot hoped to meet with Matt Wetherell of Juvenile Services and Damien Sands of Behavioral Health regarding substance abuse disorders.

Wyse attended AOC's Natural Resources Steering Committee. The committee mainly discussed amending guiding principles and priorities. Wyse asked the Rules Advisory Committee regarding county representation and was told each county would be allotted up to three seats.

Augerot asked for which rule there will be representation.

Wyse responded for Senate Bill 80, the wildfire mapping bill.

Wyse attended a separate ABC Open House in Albany and felt the location was very impactful. ABC House staff discussed their endowment with a strategic goal of more predictable funding.

Wyse wondered about Augerot's liaison role with the Corvallis Chamber of Commerce; Augerot offered to switch roles at the next opportunity.

Malone attended the AOC legislative retreat in the City of Klamath Falls, which included a discussion of structure and budgets. AOC's involvement in tracking bills and setting priorities was discussed. The dues amount was discussed. Larger counties such as Washington pay up to \$200,000 per year, whereas another county may pay \$5,000 per year. Washington County was assessed a \$20,000 per year increase.

Augerot stated that amount is too much; it is time for a real discussion with most counties represented. The outcome was a compromise. BC is on a payment plan; some counties pay a great deal and do not feel represented.

4. Other

Crager mentioned working with consultant Brenda Downum on a compilation of the Justice System Improvement Program Forum information and will update McEneny on October 11, 2023. A discussion is planned at the November 14, 2023 Goal-setting Meeting.

Chair Malone adjourned the meeting at 12:03 pm.



Pat Malone, Chair



Amanda Makepeace, Recorder

Nancy Wyse 10/10/23

AMENDED Animal Welfare Ordinance DRAFT

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TD 9/14/23

IN THE MATTER OF THE AMENDMENT OF BENTON COUNTY CHARTER CODE 9.805;

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

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

~~WHEREAS, wild or exotic animals used in traveling performances bring people dangerously close to unpredictable wild or exotic animals by displaying animals in inappropriate, uncontrolled areas that are not suited for the exhibition of such animals; and~~

Commented [WN1]: This paragraph goes a step beyond what I would like to convey with the ordinance and is unnecessary. The next paragraph touches on protection of workers and the public.

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

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

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

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

1. Short Title. This ordinance shall be known as "Amendment to Benton County Code 9.805."
2. Text Amendment. Benton County Code Chapter 9 is hereby amended as noted in the attachment marked Exhibit A.

**BAN ON THE USE OF WILD OR EXOTIC ANIMALS IN TRAVELING ANIMAL DISPLAYS
AND/OR ACTS 9.805**

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

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

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

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

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

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

(b) Alligators, crocodiles and camans

(c) Sharks, skates, rays and lemon sharks

(d) Elephants

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

- (f) Hyenas
- (g) Kangaroos, koalas, wombats, wallabies, opossums and gliders
- (h) Apes, monkeys, lemurs, gorillas, chimpanzees, orangutans, bonobos
- (i) Rhinoceroses, tapirs and zebras
- (j) Seals, sea lions, and walruses
- (k) Ostriches and emus
- (l) Bears
- (m) Wolves, coyotes, foxes, African wild dogs and jackals except domestic dogs and their hybrids
- (n) Whales, dolphins, and porpoises
- (o) Anteaters, sloths, and armadillos
- (p) Skunks, weasels, martens, mink, badgers, river otters, and sea otter
- (q) Raccoons, coatis, kinkajous, ringtails, cacomistles and olingos
- (r) Tortoises
- (s) Civets, mongooses, bearcats and genets
- (t) Monitor lizards, Komodo dragons

PROHIBITIONS

9.810 Prohibitions.

- (1) It shall be unlawful for any person to allow for the participation of an animal listed in Section 9.805(4) in a traveling animal display.
- (2) The following facilities, institutions, persons, entities, associations and government agencies are exempt from compliance with BCC 9.810(1):
 - (a) Any facility accredited by the Association of Zoos and Aquariums (AZA) or the World Association of Zoos and Aquariums (WAZA);
 - (b) Any legitimate licensed or accredited academic, research, education, or medical institution, the USDA Cooperative Extension Service, OSU Extension Service

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4-H and its sanctioned events, the Benton County Fair Rodeos and FFA and any institution dedicated to the training of service or assistance animals, but excluding wild animal training programs for the purpose of traveling animal displays;

- (c) Veterinary clinics or wildlife rescue and rehabilitation/educational facilities, which are licensed or permitted by the state of Oregon;
- (d) Persons temporarily transporting animals listed in Section 9.805 (4) through the county, provided that the transit time shall not be more than three days, and that such animals shall not be presented for animal displays while in the county;
- (e) Persons owning or keeping a trained primate as a service animal pursuant to ORS 609.345;
- (f) The employee or contractor of a filmmaker (as defined in ORS 284.368) for the purposes of producing a film (as defined in ORS 284.368). [Ord. 2018-0290];
- (g) Animals not listed in Section 9.805(4) may be prohibited or restricted under ORS or OAR.

ENFORCEMENT

9.815 Enforcement.

- (1) The Animal Control Officer shall monitor and enforce compliance with chapter 9, Section 8. [Ord. 2018-0290]
- (2) Enforcement may be initiated by citation.

9.820 Penalties. Violation of BCC chapter 9 shall be deemed a violation of County laws and is punishable upon conviction of a fine of \$500.00 for each separate violation and a fine of \$1,000 for a continuing violation; each day of continued violation is a separate offense and is separately punishable, but may be joined in a single prosecution. In addition, Benton County shall have the right to pursue any other remedy provided to it in law or in equity. [Ord. 2018-0290]