



Board of Commissioners

Office: (541) 766-6800  
Fax: (541) 766-6893

4500 SW Research Way  
Corvallis, Oregon 97333

bentoncountyor.gov

## AGENDA

### BOARD OF COMMISSIONERS MEETING

Tuesday, February 4, 2025, 9 AM

#### How to Participate in the Board of Commissioners Meeting

Zoom Video [Click for Zoom link](#)

[Click for YouTube LiveStream link](#)

**In-person:** Kalapuya Building, 4500 SW Research Way, Corvallis, Oregon

**1. Call to Order and Introductions**

**2. Review and Approve Agenda**

Chair may alter the agenda

**3. Announcements**

**4. Proclamation**

4.1 Proclaiming February 2025 as Black History Month in Benton County, Proclamation No. P2025-001 – John Phillips IV, Vice President, Linn Benton NAACP

**5. Comments from the Public**

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

**6. Work Session**

6.1 20 minutes – Transit Lodging Tax Update – Greg Munn, Chief Financial Officer

6.2 30 minutes – Safe Streets and Roads for All, Safety Action Plan Status Update – Laurel Byer, County Engineer, Public Works

6.3 20 minutes – Public Website Updates and Upgrades –John Larsen, Ryan Kidder, Information Technology; Anne Thwaites, Public Information Officer

**7. Consent Calendar**

- 7.1 Reappointment to the Benton County Fair Board: Kristi Schrock, Order No. D2025-034
- 7.2 Reappointment to the Benton County Fair Board: Craig Hendrickson, Order No. D2025-035
- 7.3 Appointment to the Benton County Fair Board: Mark Stephens, Order No. D2025-036
- 7.4 Approval of the January 24, 2025 Board Meeting Minutes

**8. New Business**

- 8.1 10 minutes – Approval of the Revised Bylaws of the Willamette Criminal Justice Council – Ryan Joslin, District Attorney
- 8.2 10 minutes – Crisis Center: Permanent Position Establishment – April Holland, Health Director; Damien Sands, Behavioral Health Director
- 8.3 5 minutes – Philomath Chamber of Commerce Sponsorship Request, February 7 Samaritan Awards – Board Chair Nancy Wyse
- 8.4 10 minutes – Adoption of Resolution No. R2025-003, Establishing a Commercial Property Assessed Clean Energy (CPACE) Program in Benton County – Christopher Jacobs, Economic Development Manager, Corvallis-Benton Economic Development Office
- 8.5 10 minutes – Adoption of Resolution No. R2025-002, Revising Land Use and Planning Division Fees for Services Provided by the Community Development Department – Petra Schuetz, Interim Director, Community Development; Christopher Jacobs, Economic Development Manager, Corvallis-Benton Economic Development Office

**9. Public Hearing**

Hearings are heard at 11 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.

- PH 1** First Reading of Ordinance No. 2025-0324 Enacting Chapter 41 of the Benton County Code, Titled Commercial Property Assessed Clean Energy (CPACE) Financing – Christopher Jacobs, Economic Development Manager, Corvallis-Benton Economic Development Office

**10. Other**

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

The 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](mailto: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.

## **4. PROCLAMATION**





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

**In the Matter of Proclaiming February 2025    )  
as Black History Month in Benton County    )    **PROCLAMATION NO. P2025-001****

WHEREAS, each February, Black History Month is observed across the United States to honor the achievements, history, and invaluable contributions of African Americans to the fabric of our nation.

The theme for Black History Month 2025, "Labor and Legacy: Honoring African American Contributions to America's Workforce," established by the Association for the Study of American Life and History (ASALH), emphasizes the vital role African Americans have played in shaping the labor movement, building industries, and advancing workers' rights.

From enslaved individuals who built the economic foundations of the nation, to the courageous pioneers of the Great Migration who transformed industrial cities, African Americans have long endured and overcome systemic challenges to leave an indelible mark on America's labor history.

African American leaders, such as A. Philip Randolph, founder of the Brotherhood of Sleeping Car Porters, and Bayard Rustin, a chief architect of the March on Washington for Jobs and Freedom, were instrumental in advocating for dignity, fairness, and equality for all workers.

Countless African American workers, both past and present, locally and nationally, have contributed their skills, ingenuity, and perseverance to the fields of agriculture, industry, technology, education, healthcare, civic engagement, and the arts, thereby enriching the nation's and our county's economy and culture.

Despite significant progress, disparities in wages, employment opportunities, and workplace equity persist, underscoring the need to continue addressing systemic inequalities and promoting economic justice for all Americans.

NOW, THEREFORE, the Benton County Board of Commissioners hereby proclaims February 2025 as Black History Month in Benton County in recognition of the labor contributions of African Americans and their enduring legacy in building and strengthening Benton County, the State of Oregon, and the United States.

We urge all community members to celebrate the rich history and remarkable achievements of African Americans, to learn from their struggles and triumphs, and to commit to fostering inclusivity, equity, and opportunity in every workplace and community.

Adopted this 4<sup>th</sup> day of February, 2025.

BENTON COUNTY BOARD OF COMMISSIONERS

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Nancy Wyse, Chair

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Pat Malone, Vice Chair

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Gabe Shepherd, Commissioner

## **6. WORK SESSION**

## Board of Commissioners Agenda Item

### Agenda Placement and Contacts

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**Suggested Agenda Date** 02/04/25

View [Agenda Tracker](#)

**Suggested Placement \*** BOC Tuesday Meeting

**Department \*** Finance

**Contact Name \*** Greg Munn

**Phone Extension \*** 6076

**Meeting Attendee Name \*** Greg Munn

### Agenda Item Details

**Item Title \*** Transit Lodging Tax Update

- 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 \*** 20 minutes

**Board/Committee Involvement \***  Yes  No

**Special Report Options \***  Oral  Written

**Advertisement \***  Yes  No

## Issues and Fiscal Impact

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### Item Issues and Description

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**Identified Salient Issues \*** N/A

**Options \*** N/A

**Fiscal Impact \***  Yes  
 No

**Fiscal Impact Description \*** Taxes collected and used to promote tourism and economic development in Benton County.

## 2040 Thriving Communities Initiative

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**Mandated Service? \***  Yes  
 No

### 2040 Thriving Communities Initiative

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

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

**Mandated Service Description \*** If this agenda checklist describes a mandated service or other function, please describe here.  
 Statewide regulation passed in 2003 - HB 2267 / Chapter 39 of the Benton County Code

### Values and Focus Areas

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

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**Core Values \*** Select all that apply.

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

**Explain Core Values Selections \*** N/A

**Focus Areas and Vision \*** Select all that apply.

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

**Explain Focus Areas and Vision Selection \*** N/A

## Recommendations and Motions

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### Item Recommendations and Motions

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**Staff** N/A

**Recommendations\***

**Meeting Motions\*** I move to ...

N/A

## Attachments, Comments, and Submission

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### Item Comments and Attachments

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**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.

TLT BOC update 02.04.25.pdf

568.98KB

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

**Department Approver** DEBBIE SESSIONS

# Transient Lodging Tax Update

Greg Munn, Chief Financial Officer

February 4, 2025





# Overview

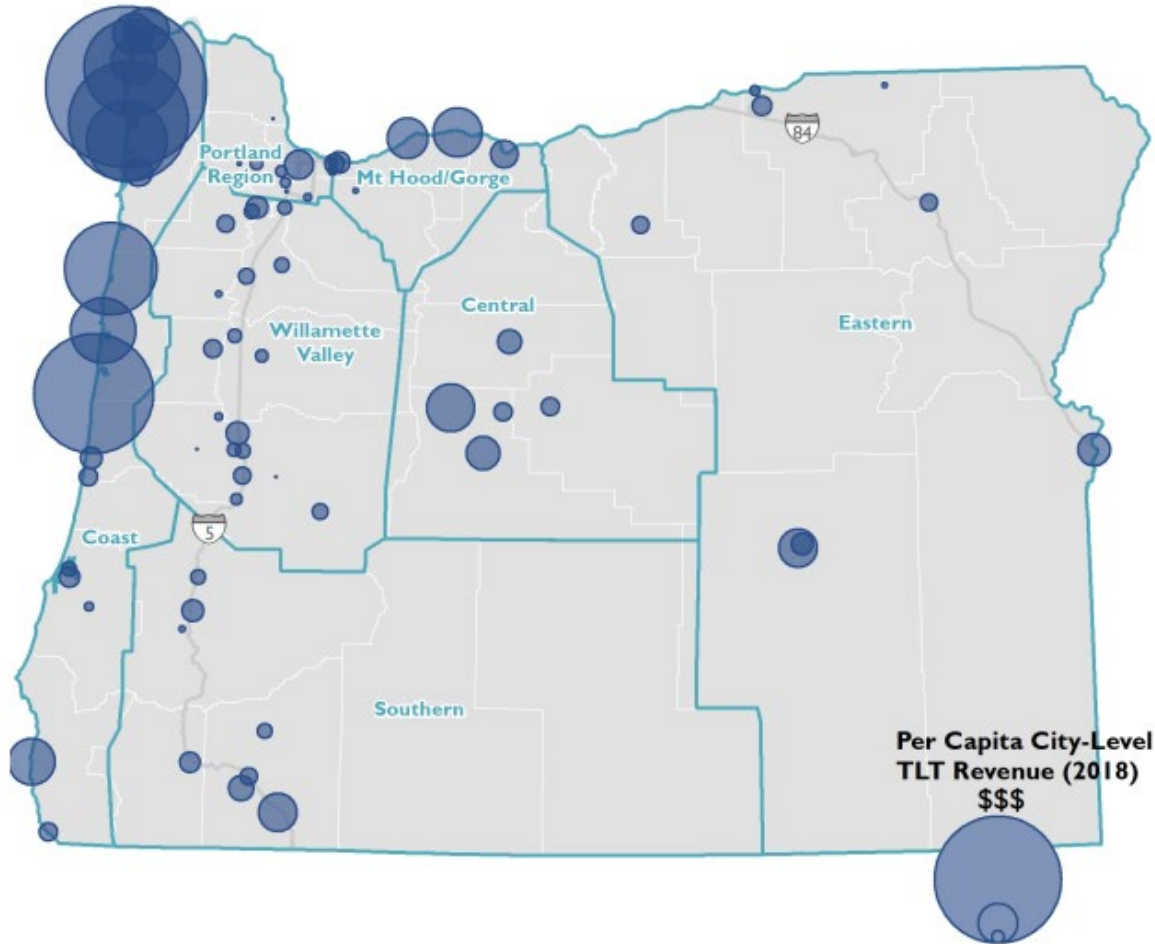
- TLT Background
- Benton County TLT
- Uses of TLT Funds
- Other TLT Data Points



# Transient Lodging Tax Background

- Tax on short-term “tourist” lodging has been imposed by local governments since the 1940s
- Funds reinvested in local tourism industries or to help fund general operations
- Local TLT rules and rates varied by jurisdiction
- **Statewide regulation – 2003 HB 2267**
  - Established a statewide TLT – now 1.5%
  - Restricted that at least 70% of new TLT collections go towards tourism
  - Existing TLTs “grandfathered” to maintain existing distribution ratios
- **The tax applies to short-term rentals**
- Taxes are reported and collected through a variety of methods
- In recent years the state began offering a collection service

# TLT Revenue Statewide



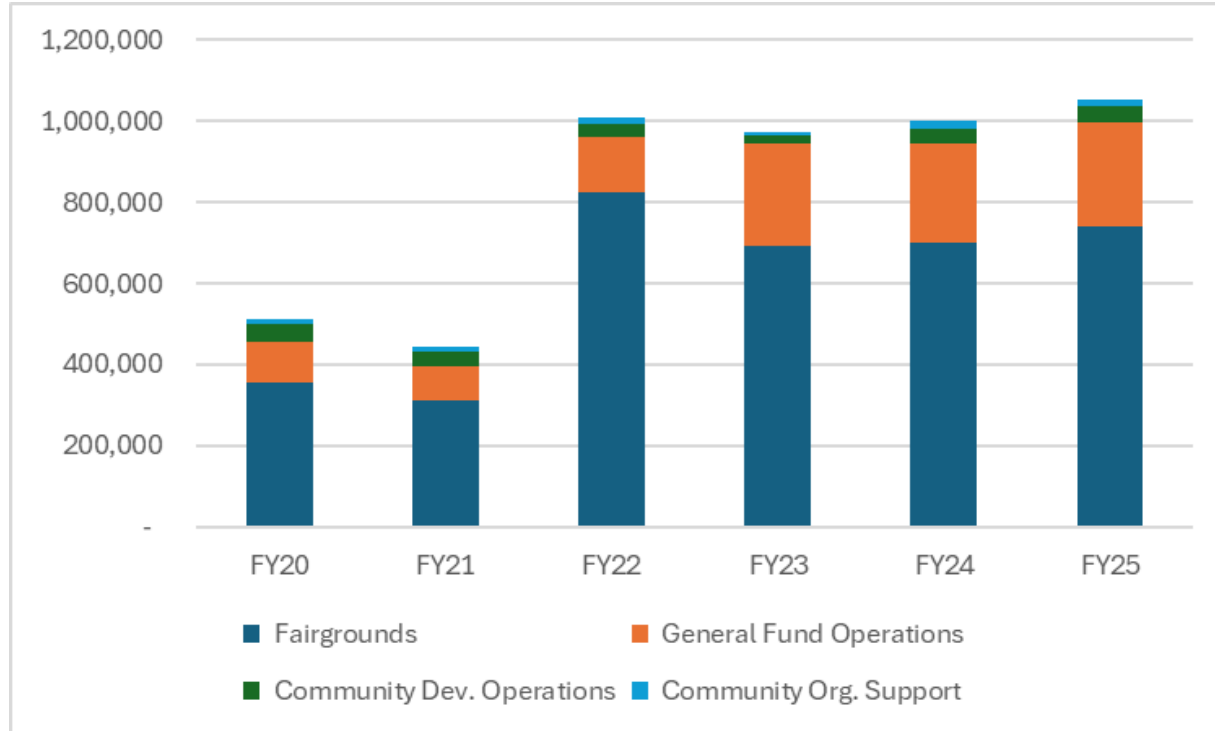
- 2018 ECONorthwest study
- City revenue/capita
- Cannon Beach \$2,497
- Average \$56

# Benton County TLT

- Instituted and defined in Chapter 39 of the Benton County Code
- The 3% tax was imposed beginning July 1, 2019
- Collections were processed by the City of Corvallis through 2021
- Reporting and tax collections transitioned to the state in 2022



# Uses of TLT Funds



- **Use of TLT funds per County Code 39.002:**

- At least 70% to tourism promotion and tourism-related facilities
- The balance to the general fund for county services

- **Economic development grant support to Monroe, Philomath, and Adair Village**
- **Community Development allocation for compliance and enforcement**
- **General county operations**
- **70% to Fairgrounds for Master Plan related work**

# TLT Data Points

- **Other cities and counties**

- Benton County 3%
  - City of Corvallis 9% (12% total)
  - Linn County 3%
  - City of Albany 9% (12% total)
  - Lane County 10%
  - City of Eugene 4.5% (14.5% total)
  - Deschutes County 8%
  - City of Bend 10.4%
  - Linn County 3%
  - Washington County 9%
  - City of Beaverton 4% (13% total)
  - City of Monmouth 9%
  - Lincoln County 12%
- **Changes to the tax rate enacted by County ordinance**
  - **1% equals \$330,000**





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Benton County

## Board of Commissioners Agenda Item

### Agenda Placement and Contacts

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**Suggested Agenda Date** 02/04/25

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 \*** Safe Streets and Roads for All – Safety Action Plan Status Update

**Item Involves \*** Check all that apply

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

**Estimated Time \*** 30 Minutes

**Board/Committee Involvement \***  Yes  
 No

**Advertisement \***  Yes  
 No



## Issues and Fiscal Impact

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### Item Issues and Description

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**Identified Salient Issues \***

In April 2024, Benton County executed a grant agreement with the United States Department of Transportation (DOT) for the development of a Transportation Safety Action Plan (TSAP) in accordance with the Safe Streets and Roads for All (SS4A) grant program. The Safety Action Plan will be data driven and will identify potential safety measures and policies to help prevent death and serious injury on roads and streets involving all roadway users.

The TSAP will also include an analysis and assessment of parallel routes in the County to determine whether separate designations such as “Modal Friendly” and “Freight Friendly” are needed. This concept would help identify projects that would improve safety in the corridors by separating vulnerable users from commercial and freight traffic. The specific corridors to be reviewed are Springhill/Independence Hwy and Fern/Bellfountain Roads.

The SS4A grant program has specific requirements for the development of a TSAP which include: a leadership commitment to a “Zero” Goal, formulation of a Task Force, data driven analysis, engagement, equity, policy changes, project selection, and transparency in progress. As of this status update, we have formed a Task Force comprised of a variety of interest groups: emergency services, Sheriff’s Office, multi-modal, freight, and industry. At the first Task Force meeting we reviewed the grant program and schedule, the proposed public involvement plan, and the proposed Vision and Goals of the TSAP (please see attached document).

Staff is requesting direction on the preferred language for the final Vision Statement from the Board of Commissioners.

**Options \***

None at this time

**Fiscal Impact \***

- Yes  
 No

**Fiscal Impact Description \***

The total project cost is estimated to be \$400,000 with a 20% match; therefore, the grant funding is \$320,000 and matching funds are \$80,000.

## 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\*

Analyzing and evaluating transportation safety for all modes to prevent death and serious injury on roads and streets is a component of meeting the core values of a livable community with equitable options for all. By potentially separating vulnerable users from freight and commercial vehicles, it could encourage healthier lifestyles by creating opportunities for the public to use facilities that committed to a particular use.

#### 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\*

Analyzing and evaluating transportation safety for all modes to prevent death and serious injury on roads and streets is a component of meeting the core values of a livable community with equitable options for all. By potentially separating vulnerable users from freight and commercial vehicles, it could encourage healthier lifestyles by creating opportunities for the public to use facilities that committed to a particular use. A Safety Action Plan will also identify projects that will improve mobility and transportation options for all modes and uses.

## Recommendations and Motions

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### Item Recommendations and Motions

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**Staff Recommendations\*** Staff respectfully recommends the Board of Commissioners direct staff on the preferred language for a Vision Statement for the Transportation Safety Action Plan. Staff will bring an ordinance at a later date for adoption based upon the preferred language.

**Meeting Motions\*** I move to ...  
No motion anticipated

## Attachments, Comments, and Submission

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### Item Comments and Attachments

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**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.

|                                    |        |
|------------------------------------|--------|
| BCTSAP BOC 20250204.pptx           | 5.25MB |
| BCTSAP Vision 12_4_24 revdraft.pdf | 1.19MB |

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

**Department Approver** GARY STOCKHOFF



## BENTON COUNTY TRANSPORTATION SAFETY ACTION PLAN

DATE: December 4, 2024

TO: Project Team

FROM: John Bosket, PE; Harshala Sardar, PE | DKS Associates

SUBJECT: Benton County Transportation Safety Action Plan  
Vision and Goals – Revised DRAFT

Project #25003-000

This memorandum provides guidance for the development of Benton County's long-range vision for transportation safety, as well as supporting goal statements. The County's overall vision for moving toward zero roadway fatalities and serious injuries will be discussed with the Transportation Safety Action Plan (TSAP) Task Force and will ultimately be approved by the County Board of Commissioners.

### BENTON COUNTY TSAP VISION AND GOALS

The Safe Streets and Roads for All (SS4A) program requires that TSAPs document leadership commitment, demonstrated by:

- A high-ranking official and/or governing body in the jurisdiction publicly committed to an eventual goal of zero roadway fatalities and serious injuries; and
- The commitment includes either setting a target date to reach zero OR setting one or more targets to achieve significant declines in roadway fatalities and serious injuries by a specific date.

The TSAP vision statement and optional supporting goals are typically used to fulfill this requirement. Options for how the vision statement could be structured include:

- Target date of 2035 for the zero goal. This would be consistent with the State of Oregon goals. Example: "Benton County envisions ZERO crashes that result in fatalities and serious injuries by the year 2035."
- Target date of 2040 for the zero goal. This would be consistent with the horizon year for the County's 2040 Thriving Communities Initiative and Transportation System Plan (TSP). This could be paired with an interim 2035 target date for achieving a significant reduction (e.g., 50%) in fatalities and serious injuries.

- Adopt an ultimate zero goal without a target date. In this case, a target date of 2035, 2040, or other year must be set for achieving a significant reduction. Example: “Benton County envisions a future with zero roadway fatalities and serious injuries. By 2040, the County aims to reduce roadway fatalities and serious injuries by 50%.

Example vision/goal statements from other TSAPs, as well as the goals in Benton County’s TSP and vision statements in Benton County’s 2040 Thriving Communities Initiative, are provided in the appendix for reference. The project team will solicit input from the TSAP Task Force to form a suggested vision statement for consideration by the Board of Commissioners.

As an option, the vision statement, which will be determined early in the TSAP development process, can be supported by a set of goal statements. Such statements may provide more specific direction on how the County would like to achieve the overall vision and might look similar to the goals of the 2021 Oregon TSAP included in the appendix. These could be informed by the safety emphasis areas identified during the TSAP development process or could be aligned with safety-related goals in the County’s TSP. They should also align with the performance measures selected for tracking TSAP implementation progress.

While the vision statement will be developed early in the TSAP process, any supporting goals should be developed later in the process because they would likely be informed by the findings from the analysis and community input and aligned with chosen performance measures.

## **APPENDIX A: EXAMPLE VISION/GOAL STATEMENTS FROM OTHER TSAPS**

**EXAMPLE VISION/GOAL STATEMENTS FROM RECENT  
TRANSPORTATION SAFETY ACTION PLANS**

1. We envision a region with zero crash-related deaths and life-changing injuries by 2035, and a 50% reduction in these crashes by 2030.

(Salem, Oregon)

2. Oregon envisions no deaths or life-changing injuries on Oregon's transportation system by 2035

(2021 Oregon Transportation Safety Action Plan)

3. PBOT aims to make our transportation system the safest possible and to move toward zero traffic-related fatalities and serious injuries in the next 10 years.

(Portland, Oregon)

4. Vision Zero Maui is an initiative to end fatalities and serious injuries caused by traffic crashes on Maui by 2040.

(Maui, Hawaii)

5. This Vision Zero Action Plan will focus the County's efforts over the next five years to achieve the goal of eliminating traffic-related fatalities on unincorporated County roadways by 2035.

(Los Angeles County, California)

6. The City's Vision Zero Resolution establishes a goal of eliminating serious injuries and fatalities on City streets by 2040.

(Lynn, Massachusetts)

7. Our goal is to reduce fatal and serious injury crashes to zero by 2035.

(Clackamas County, Oregon)

**APPENDIX B: GOALS FROM THE 2021 OREGON  
TRANSPORTATION SAFETY ACTION PLAN**



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Over the long term, the goals of the TSAP are:

- 1 SAFETY CULTURE**

Transform public attitudes to recognize all transportation system users have responsibility for other people's safety in addition to their own. Transform organizational transportation safety culture among employees and agency partners (e.g., state agencies, MPOs, Tribes, counties, cities, Oregon Health Authority, stakeholders, and public and private employers) to integrate safety considerations into all responsibilities.
- 2 INFRASTRUCTURE**

Develop and improve infrastructure to eliminate fatalities and serious injuries for users of all modes.
- 3 HEALTHY, LIVABLE COMMUNITIES**

Plan, design, and implement safe systems. Support enforcement and emergency medical services to improve the safety and livability of communities, including improved health outcomes.
- 4 TECHNOLOGY**

Plan, prepare for, and implement technologies (existing and new) that can affect transportation safety for all users, including pilot testing innovative technologies as appropriate.
- 5 COLLABORATE AND COMMUNICATE**

Create and support a collaborative environment for transportation system providers and public and private stakeholders to work together to eliminate fatalities and serious injury crashes.
- 6 STRATEGIC INVESTMENTS**

Target safety funding for effective engineering, emergency response, law enforcement, and education priorities.

## **APPENDIX C: GOALS FROM THE BENTON COUNTY TRANSPORTATION SYSTEM PLAN**

## Goals and Objectives

### Goal 1 – Safety: A safe transportation system minimizes risks and conflict.

**OBJECTIVE 1:** Provide safe facilities for all modes.

**OBJECTIVE 2:** Reduce the frequency of crashes and strive to eliminate crashes resulting in serious injuries or fatalities.

**OBJECTIVE 3:** Proactively improve areas where crash risk factors are present.

**OBJECTIVE 4:** Provide both primary and secondary access for emergency services.

### Goal 2 – Equity: Transportation investments should serve everyone in the community and recognize disparities in people’s access to transportation modes.

**OBJECTIVE 1:** Ensure mobility to the transportation disadvantaged.

**OBJECTIVE 2:** Consider the needs of the population that are unable to afford housing in close proximity to employment and daily needs in the project selection process.

### Goal 3 – Health: The transportation system should encourage healthy lifestyles.

**OBJECTIVE 1:** Support access to public spaces and encourage active transportation and social interaction.

**OBJECTIVE 2:** Provide healthy transportation options for students traveling to school.

**OBJECTIVE 3:** Consider the impact of particulate emissions in transportation projects.

**OBJECTIVE 4:** Work with neighboring jurisdictions to identify and promote opportunities to commute to and around Benton County by means other than single occupant vehicles.

### Goal 4 – Mobility and Circulation: The transportation system should efficiently connect people with where they want to go.

**OBJECTIVE 1:** Develop a transportation system to facilitate appropriate travel modes.

**OBJECTIVE 2:** Ensure sufficient capacity is provided concurrent with future travel demand to, within, and through Benton County.

**OBJECTIVE 3:** Coordinate with local agencies and providers to expand transit services countywide.

**OBJECTIVE 4:** Ensure an adequate truck route network to reduce commercial/ neighborhood conflicts.

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**Goal 5 - Economic Development:** Transportation should support a thriving economy.

**OBJECTIVE 1:** Preserve and protect transportation corridors essential to the economic vitality of the County.

**OBJECTIVE 2:** Promote the use of freight rail and air service to reduce trucking activity on County roads.

**OBJECTIVE 3:** Promote efficient and affordable ground transportation to existing regional airports (Portland, Eugene, and Salem) and the Albany Amtrak Station.

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**Goal 6 - Financial Stewardship:** Investments in transportation should manage assets efficiently and responsibly.

**OBJECTIVE 1:** Maximize the useful life of existing facilities.

**OBJECTIVE 2:** Maximize the cost effectiveness of transportation improvements.

**OBJECTIVE 3:** Ensure adequate and equitable long-term funding mechanisms.

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**Goal 7 - Environment:** The transportation system should allow a community to live harmoniously with the environment.

**OBJECTIVE 1:** Provide transportation services that preserve and protect the scenic and natural resources and rural character of Benton County.

**OBJECTIVE 2:** Provide a transportation system that allows a community to absorb the impact of and quickly recover from natural disasters.

**OBJECTIVE 3:** Minimize conflicting uses on the transportation system that degrade neighborhoods and rural communities.

**OBJECTIVE 4:** Consider the impact of transportation projects on greenhouse gas emissions, and utilize best practices and latest technologies to meet the County's climate action goals.

## **APPENDIX D: VISION STATEMENTS FROM THE BENTON COUNTY 2040 THRIVING COMMUNITIES INITIATIVE**

### Vision Statements per Focus Areas

*Benton County Government endorses and will operationalize the Core Values identified by the 2040 Thriving Communities Council and will specifically recognize and promote Health, Equity, and Resource Efficiency.*

| COMMUNITY SAFETY |   |
|------------------|---|
| Vision Statement | Benton County commits to ensure all people enjoy safe, just, welcoming, and supportive communities. |

| EMERGENCY PREPAREDNESS |  |
|------------------------|--|
| Vision Statement       | Benton County commits to secure resilient communities where individuals and the County government can survive and recover from emergencies, shocks, and disasters by appropriate levels of threat awareness, preparation, mitigation, response, & capacity for recovery. |

| OUTDOOR RECREATION |   |
|--------------------|---|
| Vision Statement   | Benton County actively promotes a range of outdoor recreation activities and will responsibly protect, manage, and develop our parks & natural areas. |

| PROSPEROUS ECONOMY |  |
|--------------------|--|
| Vision Statement   | Benton County commits to support a prosperous, balanced, equitable, and sustainable economy. |

| ENVIRONMENT & NATURAL RESOURCES |   |
|---------------------------------|---|
| Vision Statement                | Benton County commits to protect, conserve, & enhance our treasured, limited natural resources & prepare for future environmental challenges. |

| <b>MOBILITY &amp; TRANSPORTATION</b> |  |
|--------------------------------------|--|
| <b>Vision Statement</b>              | Benton County will ensure people are efficiently connected to the places they work, play, shop, learn, enjoy, and receive services through transportation options that promote activity, reduce congestion, & build community. |

| <b>HOUSING &amp; GROWTH</b> |  |
|-----------------------------|--|
| <b>Vision Statement</b>     | Benton County will strive for access to affordable, safe, and stable housing for all while retaining a sense of place in the face of growth pressures. |

| <b>ARTS, ENTERTAINMENT, CULTURE, &amp; HISTORY</b> |  |
|--|--|
| <b>Vision Statement</b>                            | Benton County will actively promote vibrant, inviting, and enriching artistic & entertainment opportunities while recognizing our history & celebrating our communities. |

| <b>FOOD &amp; AGRICULTURE</b> |   |
|-------------------------------|---|
| <b>Vision Statement</b>       | Benton County supports local agriculture and forestry and celebrates our rural communities. |

| <b>LIFELONG LEARNING &amp; EDUCATION</b> |  |
|--|--|
| <b>Vision Statement</b>                  | Benton County recognizes that learning never stops and will ensure professional and personal education opportunities for all ages. |



# Benton County Transportation Safety Action Plan

## Board of Commissioners Status Update

February 4, 2025





The Safe System Approach recognizes that **we can't “engineer” our way to zero...** we all have a shared responsibility to keep ourselves and others safe.

<https://www.transportation.gov/NRSS/SafeSystem>

# SS4A Requirements

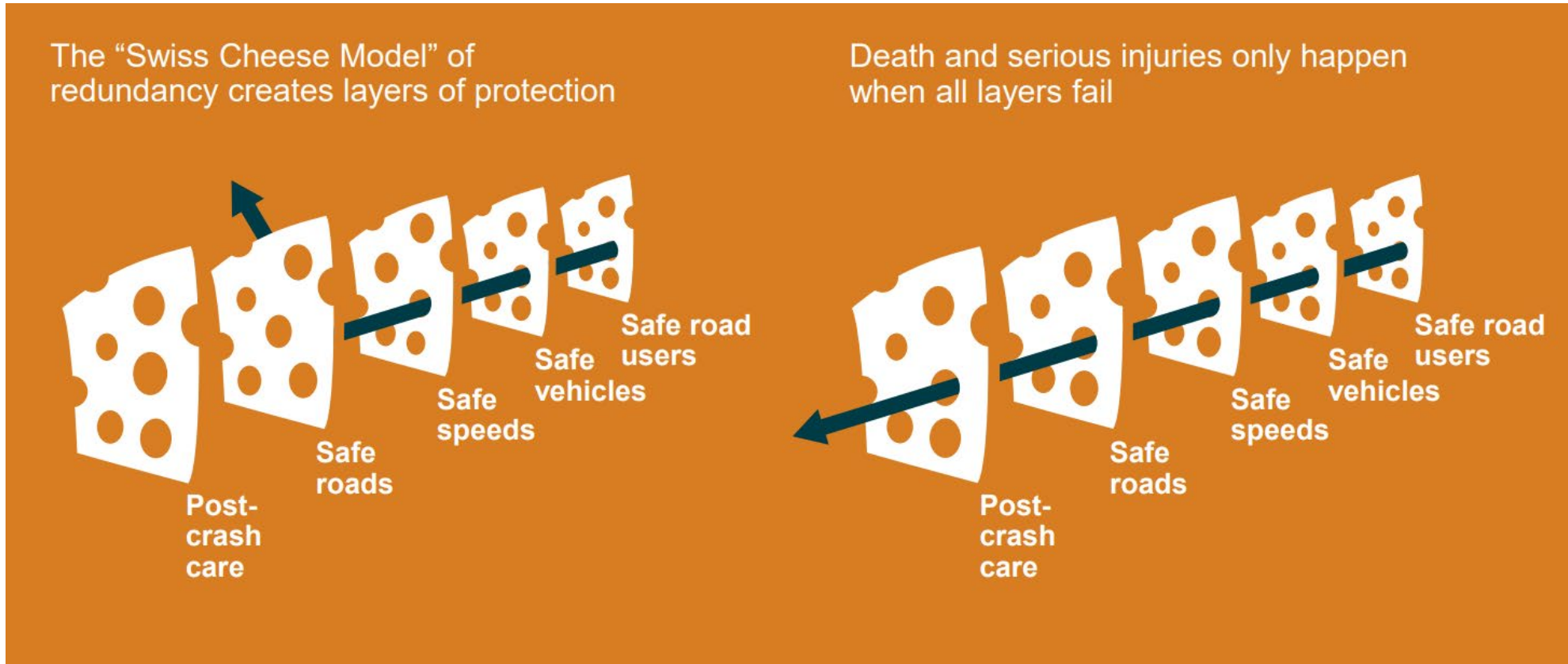
- Leadership commitment to a “Zero” Goal
- Committee/ Task Force
- Data driven safety analysis
- Engagement and collaboration
- Equity considerations
- Policy and process changes
- Strategy and project selections
- Progress & Transparency

# The Safe System Approach

A holistic and comprehensive approach that provides a guiding framework to make places safer for people.



# The Safe System Principle of Redundancy





# Project Process and Schedule

|                 |  | 2024 |        | 2025   |  | 2026        |  |  |
|-----------------|--|------|--------|--------|--|-------------|--|--|
|                 |  | FALL | WINTER | SPRING | SUMMER   | FALL        | WINTER   |  |
| PUBLIC OUTREACH |  |      | T      | T<br>🏠 | T<br>S   | T<br>S<br>🏠 | T  |  |
|                 | <i>ONGOING COMMUNITY OUTREACH THROUGH OUR PROJECT WEBSITE</i>  |      |        |        |  |             |  |  |
|                 | <span>T</span> Task Force <span>S</span> Stakeholder Advisory Committee                        🏠 In-person and Online Open House   |      |        |        |  |             |  |  |
| PROJECT TASKS   | UNDERSTAND & PRIORITIZE  |      |        |        | DEVELOP SOLUTIONS  |             | RECOMMEND & APPROVE  |  |
|                 | <ul style="list-style-type: none"> <li>• Discuss community values and safety vision</li> <li>• Understand recent crash trends and risk factors</li> <li>• Understand conflicts between freight movement and people biking on key rural corridors</li> <li>• Obtain community input</li> <li>• Identify a “High Injury Network” and “Emphasis Areas”</li> </ul> |      |        |        | <ul style="list-style-type: none"> <li>• Develop safety solutions for High Priority Safety Corridors and systemic crash patterns</li> <li>• Coordinate solutions with State and local plans</li> <li>• Recommend updates to County policies, standards, and processes</li> </ul> |             | <ul style="list-style-type: none"> <li>• Recommend performance measures and monitoring plan</li> <li>• Draft Transportation Safety Action Plan</li> <li>• Board of Commissioner’s Approval</li> <li>• Final Transportation Safety Action Plan</li> </ul> |  |

# Coordinating Benton County and Corvallis TSAPs

CREATING WORK EFFICIENCY • SUPPORTING PUBLIC PARTICIPATION •  
STRENGTHENING APPLICATIONS FOR IMPLEMENTATION GRANTS

- **Project Management**
  - Representation on each Project Management Team
  - Coordinating schedules to align tasks and outreach as feasible
- **Boundaries**
  - City limits, County facilities within the city limits and urban fringe
  - County/City coordination on issues/solutions within urban fringe and city limits

# Coordinating Benton County and Corvallis TSAPs

- **Data and Analysis**
  - Sharing all data collected and analyzing crash data concurrently for efficiency
- **Public Engagement**
  - Coordinated messaging
  - Shared public input
  - Joint open houses as feasible
  - Linked websites and shared comment mapping

# Topic of Interest - Multimodal Corridors

- Previously recognized need to provide an economically competitive transportation network for **freight movement**.
- Also recognized the need to provide safe and comfortable conditions for people **biking in rural corridors**, especially those heavily used for freight movement.

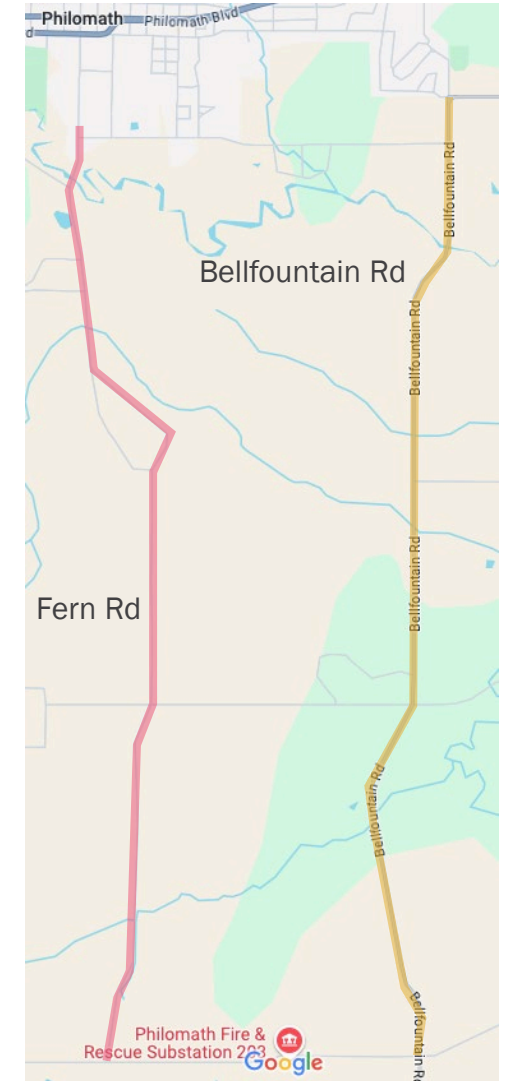
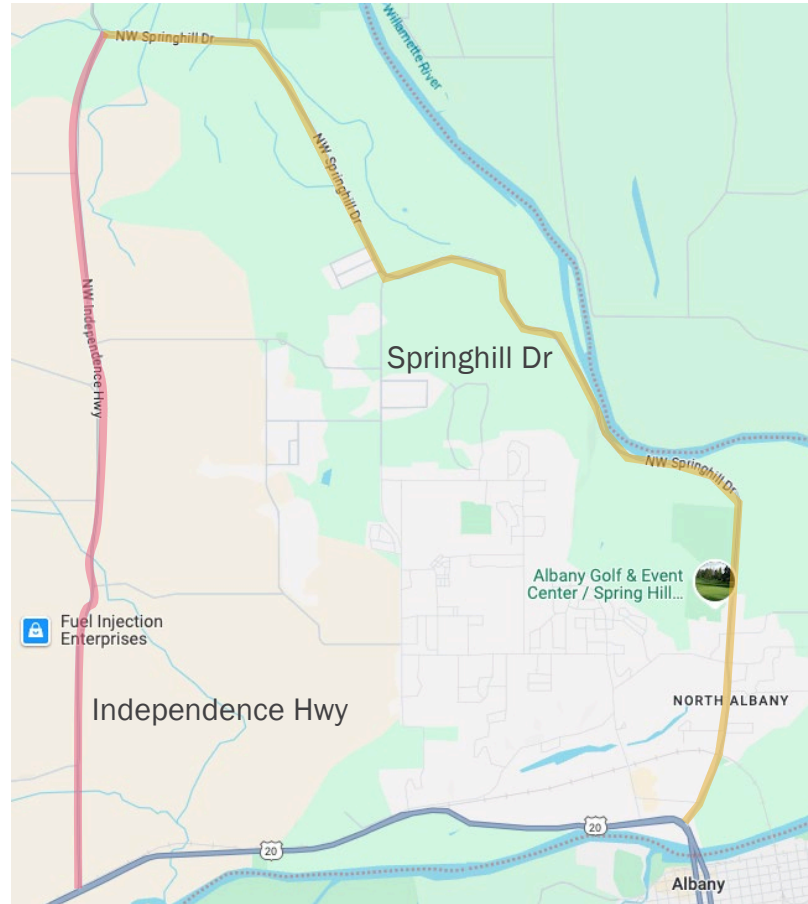


Source: Google



# Topic of Interest - Multimodal Corridors

Solutions for this pair of parallel corridors was deferred in the TSP to a future study – to be addressed now through the TSAP



# Task Force Role & Responsibilities

The Benton County TSAP Task Force will provide recommendations to the project team and help us produce a plan that reflects local needs.

The Board of Commissioners will be the ultimate decision makers and approval body.

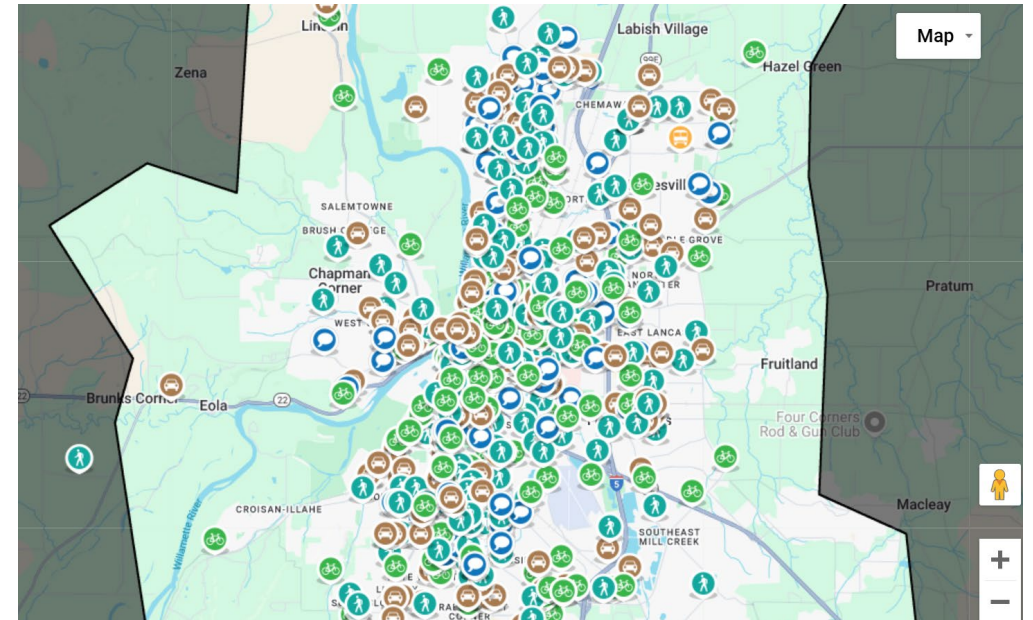
- Share expertise and local perspectives throughout the project
- Guide the selection and prioritization of projects and safety recommendations
- Participate in Task Force meetings (5)
- Promote and encourage public engagement

# Key Public Engagement Objectives

- Accessible engagement opportunities
- Transparent and collaborative process
- Comprehensive and inclusive feedback
- Targeted multimodal input for decision-making
- Safety education and clear communication

# Planned Public Involvement Activities

- **Community Open Houses**  
*In-person events across the county*
- **Online Engagement**  
*Virtual open houses, interactive comment map*
- **Stakeholder Interviews**  
*Input from local residents and multimodal users*
- **Advisory Committees**  
*Task Force and Stakeholder Advisory Committee*



*Interactive comment map from Salem-Keizer Area Transportation Study Metropolitan Transportation Safety Action Plan (TSAP)*

# Vision Statement

The Safe Streets and Roads for All (SS4A) program requires that TSAPs document leadership commitment, demonstrated by:

- A high-ranking official and/or governing body in the jurisdiction publicly committed to an **eventual goal of zero roadway fatalities and serious injuries**; and
- The commitment includes either setting a **target date to reach zero** OR setting **one or more targets to achieve significant declines in roadway fatalities and serious injuries by a specific date**.

# Vision Statement

**Aiming to completely eliminate traffic fatalities and serious injuries might seem like an unachievable goal, but...**

- It acknowledges what we might all believe – that no fatality or serious injury should be deemed acceptable
- It can be a powerful aspiration that encourages culture change
- Pursuing ambitious goals leads to bold actions that achieve significant results

# Vision Statement

## Feedback from the Task Force:

- Support having a Vision Zero goal
- Support having a target date to reach zero (like 2040, or having a common date as the Corvallis plan)
- Also support having an interim milestone for significant decline
- Recommend being clear about funding and staff resource constraints
- “Goal” is stronger than “Vision” (1 member)

# Vision Statement

## Options for how the vision statement could be structured include:

- Benton County envisions zero crashes that result in serious injuries or fatalities by 2040.
- Benton County envisions zero crashes that result in serious injuries or fatalities by 2040, and a 50% reduction in these crashes by 2035.
- Benton County's goal is to eliminate serious injuries and fatalities on County roads by 2040 and achieve a 50% reduction by 2035.



# Next Steps

- Stakeholder interviews related to "Multimodal Corridors"
- Findings from crash data analysis (e.g., trends, contributing factors, hotspots, emphasis areas, "High Injury Network")
- First round of in-person and online open houses (April)
- **Task Force Meeting #2**
- Identification of High Priority Corridors
- **Task Force Meeting #3**
- Stakeholder Advisory Committee Meeting #1



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Benton County

## Board of Commissioners Agenda Item

### Agenda Placement and Contacts

---

**Suggested Agenda Date** 02/04/25

View [Agenda Tracker](#)

**Suggested Placement \*** BOC Tuesday Meeting

**Department \*** Information Technology

**Contact Name \*** AdamLoerts

**Phone Extension \*** 6889

**Meeting Attendee Name \*** John Larsen, Ryan Kidder, Anne Thwaites

### Agenda Item Details

---

**Item Title \*** Public Website Updates and Upgrades

**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 \*** 20 minutes

**Board/Committee Involvement \***  Yes  
 No

**Advertisement \***  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\*

The public website has content and features encompassing each of the County's core values.

#### 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 public website has content and features encompassing each of the County's Focus Areas and its Vision.

## Recommendations and Motions

---

### Item Recommendations and Motions

---

**Staff Recommendations\*** The content of the presentation will include the project team's recommendations of items that are prioritized for work on the website for 2025.

**Meeting Motions\*** I move to ...  
N/A

## 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.

bentoncounty-website-update.pdf 471.38KB

**Comments (optional)** Adam is unavailable to attend because of prior commitments. The web project team is more than capable pf providing a professional update and recording Commissioner's requests and priorities.

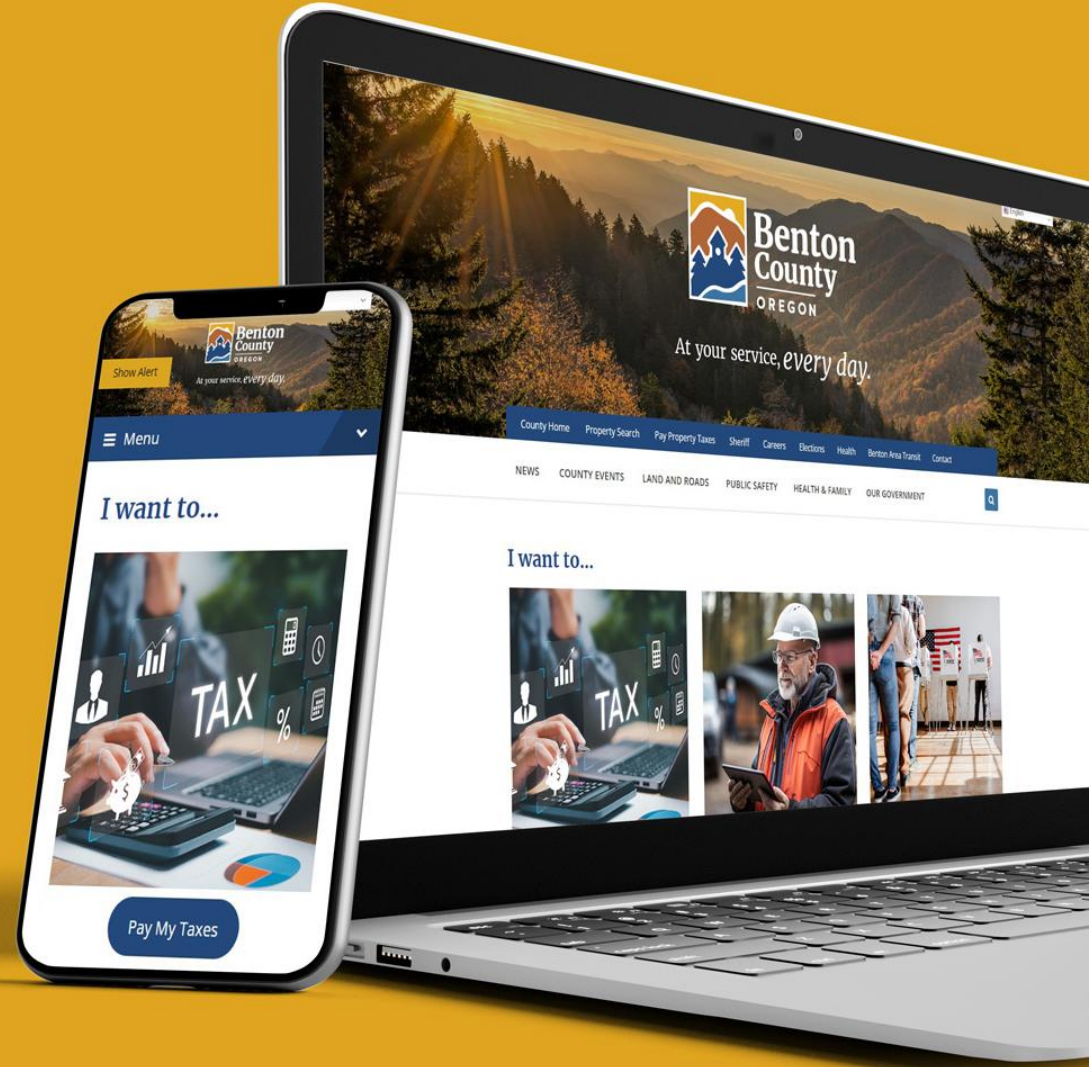
If you have any questions, please call ext.6800

**Department Approver** ADAM LOERTS

# Website Update

[www.bentoncountyor.gov](http://www.bentoncountyor.gov)

02/04/2025



# Overview

## 1

### Early Wins

Review some key improvements made following the first release of the new County website.

## 2

### Improvements In-Flight

What we're working on right now to improve County web-based experiences.

## 3

### The BEE 2.0

Updates on how we plan to bring more value to employee experiences with The BEE's next iteration.

## 4

### Collaboration

Share significant improvements in how we're working across departments to deliver more value.



# 1 Early Wins

## Enhanced Search Capabilities

We integrated the power of Google search with the County website to return results from across all departments.

## Mobile Responsiveness

We've made improvements to menu functionality on mobile devices.

## Web Style Guide

We published a comprehensive Web Style Guide and trained over 70 Publishers on how to create Accessible, efficient, and user-friendly online experiences.

## Remediation of ADA Issues

We've addressed a multitude of issues across web pages ensuring content is Accessible. ADA compliance (WCAG 2.2 AA standards) continues to be a primary focus.

## Web Styles Plugin

Improved the governance of things like on-brand County colors, fonts, and ensuring buttons are consistent across all departments.

# 2 Improvements In-Flight: Projects Aggregate

## Improved Transparency

No longer will community members need to hunt across department sites and search for Projects.

The Project Aggregate enables the community to browse all County projects from a single location. Additionally, they'll have the ability to sort and filter to find projects they care about.

We'll also strive to prioritize the use of language that is Accessible and avoid jargon (e.g. project sorting labels that make sense to the community)

## Beta Testing

Prior to launch we've invited a group of County stakeholders to participate in beta testing. This ensures that what we release to the public incorporates feedback from key internal partners like Community Development, Public Works, PIO Office, and more.

# 2 Improvements In-Flight: Homepage Improvements

## Homepage Improvements

A variety of homepage improvements are slated for 2025 with Quick Links being the first to be implemented on 1/28/2025.

- Language services
- Personalization: Scheduling Quick Links throughout the year based on the needs and tasks of the community (e.g. tax season, voting, etc.).
- Subscribe to County Newsletter available on every page
- Featured News section (curated by PIO)
- Banner messaging (curated by PIO)
- Improved Site Alert Plugin

# 2 Improvements In-Flight: CivicPlus Meeting Portal

## A Phased Approach

The Board of Commissioners (BOC) will lead the way in adopting the CivicPlus Meeting Portal as part of a phased rollout. This integration will begin with Commissioner meetings, providing a foundation for broader use across other groups in the future.

## Improve Access & Transparency

The CivicPlus meeting management software will significantly improve public accessibility and transparency. With timely and accurate posting of meeting information, this tool ensures that the community stays informed about Commissioner meetings and related updates.

# 3 The BEE 2.0

## Rebuilding With Purpose

More than just a fresh design— The BEE 2.0 is about defining the website purpose and aligning it with a content and navigation strategy that resonates with employees.

- Build what employees are asking for/find most valuable
- Showcase employees (welcome new staff, showcase

## Understanding the Technology Landscape

The BEE 2.0 takes into account the variety of tools and applications used at the County for internal communication and training.

- Avoid redundancy (e.g. NeoGov for training).
- Push content to the most appropriate channel (e.g. training content goes into NeoGov).

# 4 Collaboration

## Weekly

The Web Content Specialist and PIO meet weekly to discuss goals, ideas and progress on key initiatives.

## Monthly

PIO and Innovation team leadership meet monthly to help ensure momentum and clarity on high visibility projects.

## Sustained Synergy

In 2025, with the PIO fully integrated into Innovation Team processes (like backlog refinement and prioritization), our collaboration will drive even greater community-focused results, ensuring our web presence continues to serve as a valuable resource for residents.

# Thank You

We look forward to continuing to receive feedback of all kinds from Benton County staff, community partners, and most importantly citizens of Benton County.

We'd love to hear from you!

- Community members: Contact us through the website at [bentoncountyor.gov/contact](https://bentoncountyor.gov/contact)
- County employees: Submit a Service Desk ticket or stop by the IT Innovations office
- County Employees: Publishers: Drop a message into Teams: *Website Content Publishers > General*

## **7. CONSENT CALENDAR**



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

**In the Matter of Reappointment to the            )     **ORDER NO. D2025-034****  
**BENTON COUNTY FAIR BOARD                    )**

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

IT APPEARING TO THE BOARD THAT Kristi Schrock, a qualified and  
knowledgeable individual, has indicated a willingness to continue to serve on the Benton County  
Fair Board.

NOW, THEREFORE, IT IS HEREBY ORDERED that Kristi Schrock is hereby  
retroactively reappointed to Position 1 on the Benton County Fair Board effective January 1,  
2025, with a term expiration date of December 31, 2027.

Adopted this 4<sup>th</sup> day of February, 2025.

BENTON COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Nancy Wyse, Chair

\_\_\_\_\_  
Pat Malone, Vice Chair

\_\_\_\_\_  
Gabe Shepherd, Commissioner

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

**In the Matter of Reappointment to the            )     ORDER No. D2025-035**  
**BENTON COUNTY FAIR BOARD                    )**

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

IT APPEARING TO THE BOARD THAT Craig Hendrickson, a qualified and  
knowledgeable individual, has indicated a willingness to continue to serve on the Benton County  
Fair Board.

NOW, THEREFORE, IT IS HEREBY ORDERED that Craig Hendrickson is hereby  
retroactively reappointed to Position 7 on the Benton County Fair Board effective January 1,  
2024, with a term expiration date of December 31, 2026.

Adopted this 4<sup>th</sup> day of February, 2025.

BENTON COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Nancy Wyse, Chair

\_\_\_\_\_  
Pat Malone, Vice Chair

\_\_\_\_\_  
Gabe Shepherd, Commissioner

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

**In the Matter of an Appointment to the            )   ORDER NO. D2025-036  
BENTON COUNTY FAIR BOARD                    )**

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

IT APPEARING TO THE BOARD THAT the following qualified and knowledgeable individual has indicated a willingness to serve on this board:

|               |                          |
|---------------|--------------------------|
| Mark Stephens | Appointed: 02/04/2025    |
|               | Term Begins: 02/04/2025  |
|               | Term Expires: 12/31/2027 |
|               | Position: 2              |

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

Adopted this 4<sup>th</sup> day of February 2025.

BENTON COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Nancy Wyse, Chair

\_\_\_\_\_  
Pat Malone, Vice Chair

\_\_\_\_\_  
Gabe Shepherd, Commissioner



**Board of Commissioners**

Office: (541) 766-6800

4500 SW Research Way  
Corvallis, OR 97333

[bentoncountyor.gov](http://bentoncountyor.gov)

## **MEETING MINUTES**

### **BOARD OF COMMISSIONERS Advisory Boards and Committees Applicant Interview**

**January 24, 2025**

**Present:** Nancy Wyse, Chair; Pat Malone, Vice Chair; Gabe Shepherd, Commissioner

**Staff:** Maura Kwiatkowski, Meeting Recorder

**Guest:** Mark Stephens, Fair Board Candidate

Chair Wyse called the meeting to order at 1:03 PM.

#### **1. Applicant Interview for Advisory Board/Committee Position**

The Board conducted an interview with Fair Board candidate Mark Stephens.

#### **2. Discussion Regarding Fair Board Appointment, Reappointment, and Retroactive Reappointments**

Kwiatkowski reminded the Board that at its December 20, 2024 meeting, the reappointment of Kristi Schrock to the Fair Board was deferred for consideration to the 2025 Board of Commissioners.

Kwiatkowski also advised the Board that Fair Board member Craig Hendrickson's term expired on December 31, 2023; and that reappointment of Hendrickson was inadvertently not presented to the Board.

Shepherd motioned to:

1. Appoint Mark Stephens to the Fair Board,
2. Retroactively reappoint Kristi Schrock and Craig Hendrickson to the Fair Board, and

Board of Commissioners Meeting Minutes  
January 24, 2025  
Page 2 of 2

3. Direct staff to prepare an Order reflecting these actions for the Board's adoption at its February 4, 2025 meeting.

Malone seconded the motion, which carried 3-0.

**3. 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."

No other business was conducted.

Chair Wyse adjourned the meeting at 1:36 PM.

---

Nancy Wyse, Chair

---

Maura Kwiatkowski, Recorder

## **8. NEW BUSINESS**

## BOC Agenda Checklist Final Approval

### Agenda Placement and Contacts

---

**Suggested Agenda Date** 02/04/25

View [Agenda Tracker](#)

**Suggested Placement \*** BOC Tuesday Meeting

**Department \*** Board of Commissioners

**Contact Name \*** Ryan Joslin

**Phone Extension \*** 6679

**Meeting Attendee Name \*** Ryan Joslin, District Attorney

### Agenda Item Details

**Item Title \*** Approval of the Proposed Revised Bylaws of the Willamette Criminal Justice Council

**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      **Name of Board/Committee** Willamette Criminal Justice Council

**Board/Committee Involvement \***  Yes      **Advertisement \***  Yes  
 No       No

## Issues and Fiscal Impact

---

### Item Issues and Description

---

**Identified Salient Issues\*** District Attorney Ryan Joslin will provide a verbal summary to the Board of Commissioners regarding the process conducted to revise the Willamette Criminal Justice Council (WCJC) Bylaws dated June 21, 2017.

**Options\***

1. Approve the revised WCJC Bylaws as presented;
2. Decline to approved the revised WCJC bylaws.

**Fiscal Impact\***

Yes

No



## 2040 Thriving Communities Initiative

### 2040 Thriving Communities Initiative

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

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

**Mandated Service? \***  Yes  
 No

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

This local public safety coordinating council is established pursuant to ORS 423.560 and shall be known as the Benton County Willamette Criminal Justice Council. This advisory council is established to carry out the statutory duties described in ORS 423.560 -.565; 423.569; and 135.941.

ORS 423.560(3): The local public safety coordinating council shall, at a minimum:  
(a) Develop and recommend to the county board of commissioners a plan for use of:

- (A) State resources to serve the local offender population; and
- (B) State and local resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age, which plan must provide for coordination of community-wide services involving prevention, treatment, education, employment resources and intervention strategies; and
- (b) Coordinate local criminal justice policy among affected criminal justice entities.

### Values and Focus Areas

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

**Core Values \*** Select all that apply.

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

**Explain Core Values Selections \*** ORS 423.560

**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 \*** ORS 423.560

## Recommendations and Motions

---

### Item Recommendations and Motions

---

**Staff Recommendations \*** The District Attorney recommends approval of the revised bylaws of the Willamette Criminal Justice Council as presented.

**Meeting Motion\*** I move to approve the revised bylaws of the Willamette Criminal Justice Council as presented.

## 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.

WCJC Bylaws 2025-02-04 REDLINE.pdf 284.21KB

WCJC Bylaws 2025-02-04 CLEAN.pdf 151.47KB

**Comments (optional)** This agenda item checklist is submitted by Board of Commissioners Office staff on behalf of the District Attorney's Office for purposes of processing only.

Maura Kwiatkowski 01/28/2025

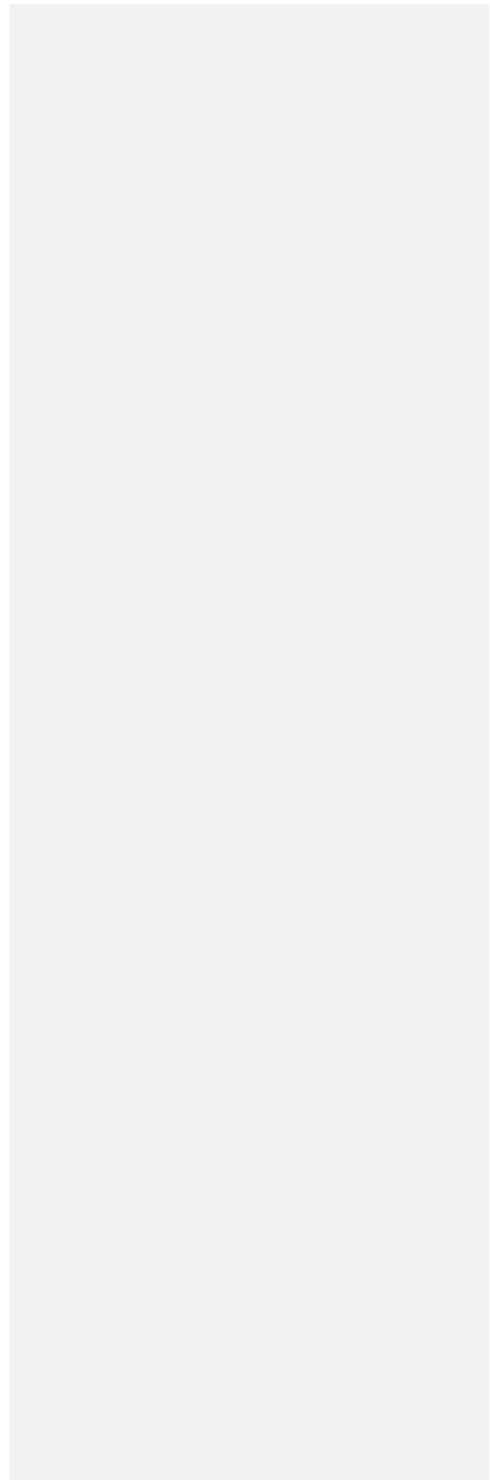
If you have any questions, please call ext.6800

**Department Approver** RACHEL MCENENY

Benton County BYLAWS  
Willamette Criminal Justice Council

Council Bylaws

~~Approved~~ September 16, 1998  
Revised March 16, 2005  
Revised March 18, 2008  
Revised March 21, 2012  
Revised June 21, 2017



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### Brief History of Bylaw Development

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**~~BYLAWS OF~~**

**~~WILLAMETTE CRIMINAL JUSTICE COUNCIL~~**

**TheARTICLE I  
Name and Statutory Authority**

~~This local public safety coordinating council is established pursuant to ORS 423.560 and shall be known as the Benton County Willamette Criminal Justice Council is the Local Public Safety Coordinating Council for Benton County as required by ORS 423.560.~~

**Article 1. — NAME**

~~Section 1. This advisory council shall be known as the Willamette Criminal Justice Council (WCJC) serving as the Local Public Safety Coordinating Council of Benton County, (LPSCC) is established to carry out the statutory duties described in ORS 423.560-.565; 423.569; and 135.941.~~

**Article 2. — PURPOSE AND POWERS**

**ARTICLE II  
Purpose**

The Willamette Criminal Justice Council (WCJC) shall:

~~Section 1.~~

~~(1) Promote and facilitate fair, efficient, and coordinated criminal justice services in Benton County.~~  
~~Section~~

~~(2) Provide long-range planning for the delivery of criminal justice services in Benton County.~~  
~~Section~~

~~(3) Provide timely information to governmental agencies and to the public on criminal justice matters of local concern.~~  
~~Section~~

~~(4) Perform the duties of a local public safety coordinating council as required by law.~~

~~Section (5) Promote and facilitate the coordination of policy and long-range planning for criminal justice services and agencies in Benton County.~~

**Article 3. — RESPONSIBILITIES OF WCJC**

~~Section 1.~~

**ARTICLE III  
Responsibilities**

The ~~WCJC~~Council shall at a minimum:

~~Develop~~ perform such duties and tasks as necessary, ~~recommend~~ to accomplish the purposes described below:

- ~~1.1~~ Perform the duties of a local public safety coordinating council as may be required by law now and in the future.
- ~~1.2~~ Identify opportunities and priority investments to more efficiently and cost-effectively manage and operate the community safety and justice system.

~~Article 4. PRINCIPLES OF COLLABORATION~~

~~Section 1. WCJC shall not assume any legislative or administrative powers, nor shall it circumvent or usurp the authority and responsibilities of any governmental body.~~

~~Section 2. WCJC Practitioner members remain accountable and subject to the control of the public officials and governmental bodies responsible for their appointment.~~

~~Section 3. All WCJC actions, plans, and recommendations must be consistent with law and the charters of the participating governmental bodies.~~

~~Section 4. WCJC, as an entity, shall not appear before a city council or the Board of Commissioners except by invitation or required by law.~~

~~Article 5. ORGANIZATION~~

~~Section 1. Inter-Governmental Agreement~~

- ~~1.1 The WCJC was first formed in 1993 by an Intergovernmental Agreement under ORS 190.110.~~
- ~~1.2 Governmental bodies, upon 60 day written notice, may join or withdraw from the Inter-governmental Agreement effective July 1 each year.~~

~~Section 2. Local Public Safety Coordinating Council~~

- ~~(1) The Benton County Board of Commissioners has designated the WCJC (“Board”) a plan for use of:~~
  - ~~(a) State resources to serve as Benton County’s the local offender population; and~~
  - ~~2.1 (b) State and local public safety coordinating council as required by ORS 423.560 resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age, which plan must provide for coordination of community-wide services involving prevention, treatment, education, employment resources and intervention strategies.~~

~~Article 6.~~

~~MEMBERSHIP~~

~~Section 1. Representation and Selection~~

- ~~(2) The governing body of the WCJC purposely includes Coordinate local criminal justice system practitioners as well as lay members who are not closely involved in the day-to-day operations of a policy among affected criminal justice entities.~~
- ~~(3) Develop agency. Through this mix, it is believed that and recommend to the Board the plan for use of state resources to serve the purposes local youth offender population.~~
- ~~(4) Coordinate local juvenile justice policy among affected juvenile justice entities.~~
- ~~(5) Consider proposed establishment of halfway houses, work release centers, treatment homes and other facilities by public agencies pursuant to ORS 169.690.~~
- ~~(6) Provide annual summary to the Oregon Criminal Justice Commission outlining county program, service or budget changes made in response to recommendations of the WCJC.~~
- ~~1.1 (7) WCJC will be achieved on both internal issues (fair, efficient and coordinated criminal justice services in may make other recommendations to the Benton County) and external issues (long-range planning for the delivery Board of eriminal justice services in County Commissioners for the betterment of the Benton County); criminal and juvenile justice systems~~

~~Section 2. Statutory~~

~~ARTICLE IV~~

~~Membership Requirements~~

~~In accordance with ORS 423.560, the Benton County Board of Commissioners~~

- ~~2.1 WCJC shall convene a local public safety coordinating council, known as the Willamette Criminal Justice Council (WCJC).~~
- ~~2.2 The WCJC’s membership will include, at a minimum, all positions required by statute.~~
- ~~2.3 Positions, in addition to those described in Article 6, Section 5, may be required due to changes in state law affecting local public safety coordinating councils. Representatives for these positions will be added at the next full meeting of the WCJC consist of the following the effective date of the legislation.~~

~~Section 3. Diversity of Membership~~

- ~~3.1 Appointing bodies or officials shall consider cultural, geographic, and ethnic diversity when making appointments.~~

~~Section 4. Member Voting Rights~~



~~4.1 To encourage the full participation of all WCJC members, all Additional members shall be voting members. may be added by the board of commissioners as deemed necessary:~~

~~4.2 Members may designate a proxy voting agent from within their agency. Non-agency members may designate a sitting member of the WCJC as their proxy voting agent.~~

~~4.3 Members must provide written notification, an email is acceptable, to the WCJC Coordinator or the WCJC Chair, of their intent to designate a proxy voting agent (which includes the proxy agent's name and any voting limitations) prior to the meeting.~~

~~4.4 The proxy voting agent must be in attendance to vote.~~

~~4.5 Members may designate a proxy voting agent twice per year.~~

~~Section 5. WCJC Member Positions~~

~~5.1 The WCJC membership shall include, but need not be limited to the following positions (see table, page 3):~~

**Table 1: Membership of the Willamette Criminal Justice Council**

| Positions                       | Membership Requirements – ORS 423.560 – must include but not limited to the following   | Appointing Authority   |
|---------------------------------|---|--|
| 1.                              | Self-appointing, or a police chief will be selected by the police chiefs in the county.   | Appointment by rotation as set forth in subsection (1) a. below.   |
| 4. The sheriff of the county    | Benton County Sheriff or designee   | Self-appointing, or, if two or more counties have joined together to provide community corrections services, a sheriff selected by the sheriffs in the counties. Ongoing by occupying the office |
| 5. The district attorney of the | Self-appointing, or, if two or more counties have joined together to provide community corrections services, a district attorney selected by the district attorneys of the counties. <sup>1</sup> A director of community corrections | Appointed by the county commissioners  |

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<sup>1</sup> The Benton County Sheriff is the community corrections director in Benton County  
*Willamette Criminal Justice Council Bylaws*

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| 3. | <del>Benton County District Attorney or designee</del>   | <del>Ongoing by occupying the office</del>   |
| 4. | <del>6. A state court judge, or designee</del>   | <del>Appointed by the presiding judge of the judicial district in which the county is located.</del> |
| 5. | <del>7. A public defender or defense attorney.</del>   | <del>Appointed by the presiding judge of the judicial district in which the county is located.</del> |
| 6. | <del>8. A Benton County Director of Community Corrections. A county commissioner</del>   | <del>Appointed by the county commissioners.</del>  |
| 7. | <del>9. A Benton County Commissioner. A Juvenile department director</del>   | <del>Appointed Ongoing by occupying the county commissioners department head position</del>          |
| 8. | <del>10. A Benton County Juvenile Department Director. A health director</del>   | <del>Appointed Ongoing by occupying the county commissioners department head position</del>          |
|    | <del>2 A mental health director</del>  | <del>Ongoing by occupying the department head position</del>   |
| 9. | <del>11. A Benton County Health Department Administrator. A representative from victim services nonprofit</del>  | <del>Appointed by the county commissioners.</del>  |
|    | <ul style="list-style-type: none"> <li>* Each of the following entities, after consulting with the WCJC Executive Committee, may appoint a citizen member: the city councils of participating municipalities, the Board of Commissioners, and the President of Oregon State University;</li> <li>* The Governor of Oregon may appoint a citizen member.</li> <li>* If an appointing authority does not make an appointment, the WCJC shall make an appointment from a pool of applicants recommended by the other appointing authorities. <u>At least one lay citizen</u></li> </ul> | <u>Appointed by the county commissioners</u>   |

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<sup>2</sup> The Benton County Health Administrator is also the county's mental health administrator  
Willamette Criminal Justice Council Bylaws

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| 20<br>-   | <del>35.</del> —A school district superintendent or school board member.                                    | Nominated by the Superintendent of the Corvallis School District and approved by a majority of the other superintendents.  |
| 21<br>-   | 36.—A crime victim representative.  | <del>Nominated by the District Attorney and approved by a majority of the chiefs and Sheriff.</del> Executive committee to make recommendation to county commissioners who shall have appointing authority |
| 22<br>-   | <del>37.</del> —A minority community representative from Oregon State University (OSU) Oregon State Police. | Self appointing Executive committee to make recommendation to county commissioners who shall have appointing authority.  |
| 38<br>-<br>A<br>mi<br>ne<br>rit<br>y<br>eo<br>m<br>mu<br>nit<br>y<br>rep<br>res<br>ent<br>ati<br>ve:<br>23<br>- | Appointed by Seats for police chiefs not currently filling position (1) on the WCJC Executive Committee.    | Self-Appointing  |

*A shaded cell indicates a UNIQUE WCJC position, not required for LPSCC's by Oregon Revised Statutes.*

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~~Section 6. Member Categories~~

~~6.1 Criminal Justice Practitioners~~

~~The following WCJC members are professionals in~~

~~For the field of criminal justice and shall be considered Practitioners:~~

- ~~6.1.1 The state trial court judge;~~
- ~~6.1.2 The Benton County Sheriff;~~
- ~~6.1.3 The chiefs ~~membership seats~~ of police of the participating municipalities;~~
- ~~6.1.4 The representative of the Oregon State Police;~~
- ~~6.1.5 The ~~9~~ chief (position 1) Emergency Communications Director;~~
- ~~6.1.6 The manager of the local branch of the Oregon State Office for Services to Children and Families;~~
- ~~6.1.7 The Benton County Juvenile Department Director;~~
- ~~6.1.8 The Benton County Community Corrections Division Director;~~
- ~~6.1.9 The defense attorney;~~
- ~~6.1.10 The Benton County District Attorney;~~
- ~~6.1.11 An Oregon State University representative with campus public safety responsibilities;~~
- ~~6.1.12 The state Trial Court Administrator for Benton County; and~~
- ~~6.1.13 The representative of the Oregon Youth Authority.~~

~~6.2 Lay Members~~

~~The following WCJC members shall be considered Lay Members. Lay Members are individuals not directly employed in the field of criminal justice. These positions shall compose the WCJC Lay Committee.~~

- ~~6.2.1 The Benton County Health Department director;~~
- ~~6.2.2 An ASOSU representative;~~
- ~~6.2.3 An Oregon State University senior administrator;~~
- ~~6.2.4 The Benton County Commissioner;~~
- ~~6.2.5 The ~~1~~ city councilor or mayor or city managers of Adair Village, Albany, Corvallis, Philomath and any other participating municipality;~~
- ~~6.2.6 The city councilors from the municipalities of Adair Village, Albany, Corvallis, Philomath, and any other participating municipality;~~
- ~~6.2.7 The school district superintendent or school board member;~~
- ~~6.2.8 The representative of crime victims;~~
- ~~6.2.9 The representative of minorities within the community; and~~
- ~~6.2.10 The citizens representing Adair Village, Albany, Corvallis, Philomath, Benton County, Oregon State University, the Governor and any other participating municipality.~~

~~Article 7.~~

~~VACANCIES~~

~~Section 1. Appointment of a Replacement~~

~~1.1 Vacancies may occur because of illness, resignation, or other reasons. When such a situation occurs, the WCJC shall provide written notice to the appointing authority indicating the need for an appointment.~~

~~Section 2. Request for New Appointment~~

~~2.1 The WCJC may request a new appointment, as necessary, according to Article 8.~~

**Article 8. — TERMS OF OFFICE**

**Section 1. Length of Service**

- 1.1 Members shall serve at the pleasure of their appointing authorities or until they no longer hold the qualifying ~~(position~~ or office described, whichever occurs first.
- 1.2 The power to appoint some positions is limited by state law affecting local public safety coordinating councils.

**Section 2. Removal from Service**

- 2.1 Members may be recommended for removal by majority vote of the WCJC for cause, including non-attendance at scheduled meetings.
- 2.2 The WCJC shall request that the appointing authority appoint a replacement within 60 days.
- 2.3 The power to remove members from some positions is limited by state law affecting local public safety coordinating councils.

**Article 9. — MEETINGS**

**Section 1. WCJC Meetings — Full Membership**

- 1.1 The WCJC shall hold a meeting at least quarterly.
- 1.2 Special meetings may be called by the Chair, or by a majority of the Executive Committee.
- 1.3 Meetings may be called by a majority of the WCJC membership by written request to the Chair.

**Section 2. Lay Committee — Lay Member Meeting**

- 2.1 A meeting of the Lay Members shall occur at least once per fiscal year. (See Committees Article 14, Section 6)

**Section 3. Oregon Public Meetings Law**

- 3.1 The WCJC is subject to and shall comply with the requirements of Oregon's Public Meetings Law, ORS 192.

**Section 4. Public Participation**

- 4.1 The public shall have a right to comment at every regular or special meeting.

**Section 5. Inability to Attend Meetings**

- 5.1 Members have the responsibility of contacting the WCJC Chair or staff, prior to the meeting, if they are unable to attend a meeting.

**Article 10. — CONFLICT OF INTEREST**

**Section 1. Private Pecuniary Interest**

- 1.1 Members shall be required to vote on all matters which require a decision except, in accordance with ORS Chapter 244, no WCJC member shall participate in a decision in which that member has a private pecuniary interest.

**Section 2. Disclosure of Conflicts**

- 2.1 When such apparent or potential conflict of interest arises, the affected member shall disclose such conflict of interest and disqualify herself/himself from voting on the matter. Such members shall not be considered as being present for the purpose of determining whether a majority vote has been cast.
- 2.2 Declared conflicts shall be formally represented in the minutes of the meeting where such declaration is made. Furthermore, the affected members shall notify the Board of County Commissioners as required under ORS 244.120.

**Article 11. QUORUM**

~~Section 1. Decisions shall be made at meetings where there is a quorum.~~

~~Section 2. Definition of Quorum~~

~~2.1(1) A quorum shall consist of a majority of the appointed membership (current 11) and city manager or other representative (position 12), the seats will be filled positions) of the WCJC on a biennial, rotating basis as follows:~~

~~2.2 The quorum shall be adjusted during the year if a position is vacated in accordance with Article 8 (Terms of Office) or if a vacant position is filled.~~

**Article 12. DECISION-MAKING PROCESS and VOTING**

~~Section 1. Consensus~~

- ~~1.1 The Council recognizes that the effectiveness of WCJC actions depends upon the support of its members. The Council shall strive to gain the support of all members for its proposed actions through consensus prior to final decision-making~~
- ~~1.2 Consensus decision-making requires flexibility on the part of members, recognizing that a member does not have to enthusiastically support a decision, but must be able to abide by the group decision.~~
- ~~1.3 Consensus also requires the active participation of all members, including sharing information, interests, ideas, and opinions.~~

~~Section 2. Robert's Rules of Order~~

~~2.1 If the Council is unable to reach consensus on a particular issue, Roberts Rules of Order (revised) shall govern any point of parliamentary procedure not addressed in the Bylaws or Inter-governmental Agreement.~~

~~Section 3. Decisions requiring a vote~~

~~3.1 WCJC determinations, actions, resolution and recommendations defined as "decision" by ORS 192.610 (1) shall be determined by a majority vote, following an effort to reach consensus on the question being considered.~~

~~Section 4. Member Votes~~

- ~~4.1 Every member of the WCJC shall have one vote.~~
- ~~4.2 WCJC decisions must be authorized by a majority of the quorum present at the meeting.~~
- ~~4.3 Any member may request a vote on a WCJC decision.~~
- ~~4.4 Any member may request that their vote be recorded.~~

**Article 13. OFFICERS – DUTIES and SELECTION PROCESS**

~~Section 1. WCJC Officers~~

~~1.1 The officers of the WCJC shall be a Chair, Chair Elect, and Secretary-Treasurer; all officers must be members of the WCJC.~~

~~Section 2. Chair~~

- ~~2.1 The WCJC Chair shall preside at all meetings, appoint members to committees and task forces, and perform all other duties necessary or incidental to the office~~
- ~~2.2 The WCJC Chair shall execute all contracts and agreements authorized by the Executive Committee and WCJC, except for contracts and agreements related exclusively to duties assigned by law to local public safety coordinating councils. In such matters, the Chair will act as authorized by the Board of Commissioners.~~
- ~~2.3 The WCJC Chair shall ensure that the records of the full WCJC meetings are accurate.~~
- ~~2.4 The WCJC Chair will also serve as the Chair of the WCJC Executive Committee.~~



~~Section 3. Chair-Elect~~

- ~~3.1 The Chair-Elect shall perform the duties of the Chair, if the Chair is absent or otherwise unable to act.~~
- ~~3.2 The Chair-Elect shall assist with the development and implementation of the WCJC's Strategic Tasks.~~

~~Section 4. Treasurer~~

- ~~4.1 The Treasurer shall serve as chair of the WCJC Budget Committee (see Article 14, Section 7).~~
- ~~4.2 The Treasurer shall ensure that accurate budget reports are maintained and timely.~~

~~Section 5. Vacancy of Chair~~

- ~~5.1 In the absence of the Chair and Chair-Elect, the Secretary-Treasurer shall act as Chair.~~
- ~~5.2 If an office becomes vacant in midterm, the remaining members may elect a successor to complete the unexpired term.~~

~~Section 6. Terms of Office for Officers~~

- ~~6.1 The officers shall be elected annually for terms of one fiscal year (July 1 – June 30).~~
- ~~6.2 The Chair-Elect shall serve for one term as “Chair-Elect” and the following term as Chair.~~

~~Section 7. Selection of Officers~~

~~7.1 Nomination~~

- ~~7.1.1 The Chair will appoint a Nominating Committee charged to develop a recommended slate of officers (Chair-Elect, Treasurer) and at least two to serve the Executive Committee members.~~
- ~~7.1.2 The Nominating Committee will present the recommended slate to the WCJC, by June of each year.~~
- ~~7.1.3 Members can nominate themselves if they have a desire to serve as an officer or Executive Committee member, or they can nominate another member.~~

~~7.2 Selection~~

- ~~7.2.1 Election of officers and Executive Committee members will occur at a scheduled WCJC meeting prior to the close of the previous fiscal year (July 1 – June 30).~~
- ~~7.2.2 Voting will NOT be conducted by mail-in ballot.~~
- ~~7.2.3 A slate of officers and Executive Committee members to be elected at the last meeting of the previous fiscal year will be presented one month prior to the election.~~
- ~~7.2.4 Each member will be given an opportunity to vote on the slate of officers and Executive Committee members.~~
- ~~7.2.5 New officers and Executive Committee members will be in place by the first meeting of each fiscal year (July 1 – June 30).~~

~~Article 14. COMMITTEES – Standing and~~

- ~~a. Position (1), police chief. City of Corvallis, beginning on Jan. 1, 2025; City of Albany, beginning on Jan. 1, 2027; City of Philomath, beginning on Jan. 1, 2029; Oregon State University Police Department, on Jan. 1, 2031; City of Monroe, if applicable, on Jan. 1, 2033; City of Adair Village, if applicable, on Jan. 1, 2035. In the event a city does not have a police chief on the date it is scheduled to assume Position (1), the seat shall be filled by the next city in the rotation. Following completion of the first rotation, the process shall repeat with the first city named above.~~
- ~~b. Position (11), city councilor or mayor. City of Albany, beginning on Jan. 1, 2025; City of Philomath, beginning on Jan. 1, 2027; City of Monroe, beginning on Jan. 1, 2029; City of Adair Village, on Jan. 1, 2031; City of Corvallis, on Jan. 1, 2033. In the event a city chooses not to appoint a representative on the date it is scheduled to assume Position (11), the seat shall be filled by the next city in the rotation. Following completion of the first rotation, the process shall repeat with the first city named above.~~
- ~~c. Position (12), city manager or other city representative. City of Philomath, beginning on Jan. 1, 2025; City of Monroe, beginning on Jan. 1, 2027; City of Adair Village, beginning on Jan. 1, 2029; City of Corvallis, on Jan. 1, 2031; City of Albany, on Jan. 1, 2033. In the event a city~~

chooses not to appoint a representative on the date it is scheduled to assume Position (12), the seat shall be filled by the next city in the rotation. Following completion of the first rotation, the process shall repeat with the first city named above.

- (2) Terms of Office: Members shall serve at the pleasure of the appointing authority or until the member no longer holds the public office described. Citizen members shall serve a term of four (4) years. Citizen members may serve more than one term.
- (3) Termination of Membership: The Board of Commissioners or presiding judge may remove members under their respective appointing authorities, pursuant to Benton County Code ch. 3.035.
- (4) Resignation: Member resignations shall be submitted in writing to the WCJC Chair and announced at the next regularly scheduled meeting. The Chair shall forward a copy of the resignation to the Board of Commissioners and the presiding judge.
- (5) Vacancies: The appointing authorities of the mandated positions shall fill a vacancy over which they have appointment authority within three months of the vacancy or as soon as possible.
- (6) Membership requirement: No entity shall be granted membership on either WCJC or the Executive Committee unless it fully and continuously contributes to the financial support of WCJC pursuant to the Intergovernmental Agreement executed by all participating entities.

#### ARTICLE V Officers

The officers shall be a Chair and Vice-chair. A county commissioner, or designee from the executive committee, will be the chair and will facilitate WCJC meetings. The Chair will nominate the Vice-chair who shall be elected by a majority of members of WCJC and shall hold office for a term of two (2) years.

- (1) Chair Responsibilities:
  - (a) The Chair shall enforce WCJC directives, guidelines and membership rules and will guide the conduct of public meetings.
  - (b) The Chair is the official representative of WCJC and will be the official Spokesperson to the media.
  - (c) The Chair shall appoint a Vice-Chair to complete the term of Vice-Chair if the office becomes vacant.
  - (d) The chair shall form subcommittees, including the subcommittee required by ORS 423.565(4), and form task forces. The chair shall appoint subcommittee and task force members.
  - (e) The Chair shall notify the relevant appointing authority in writing if at any time a member appears unable to serve, a position appears vacant, or upon the expiration of the term of any citizen member if the Chair has not received notice of reappointment.
- (2) Vice-Chair Responsibilities:
  - (a) In the absence of the Chair, the Vice-chair shall assume the Chair's responsibilities.
  - (b) If the Chair and Vice-chair are not available for a publicly convened meeting, then the assembled quorum of the meeting will select a temporary chairperson to conduct the meeting.

#### ARTICLE VI Executive Committee

- (1) The executive committee (Committee) shall be comprised of the members statutorily mandated to the public safety coordinating council through ORS 423.560.
- (2) The Chair of WCJC shall be the Chair of the Committee.

- (3) The executive committee shall meet quarterly, or more often if needed, for the purposes of:
  - (a) Taking action on behalf of WCJC. Actions taken must be reported to the full WCJC body at the next regularly scheduled meeting.
  - (b) Receiving and reviewing recommendations from ad hoc committees and other interested parties and taking action on items as needed. Actions taken must be reported to the full WCJC body at the next regularly scheduled meeting.
  - (c) Reviewing and taking action on future public safety agency budgets and making recommendations to the Board regarding budgeting priorities. Actions taken must be reported to the full WCJC body at the next regularly scheduled meeting.
  - (d) Developing agendas for regular WCJC meetings.
  - (e) Considering matters on behalf of WCJC otherwise deemed necessary by the Chair.
- (4) Committee actions require a quorum. The majority of the appointed, voting Committee membership will constitute a quorum for the transaction of all business at Committee meetings. Non-voting members are not counted towards achieving a quorum. Members may attend either in person or by conference call so long as persons in attendance and on the telephone can both hear and communicate with each other. Members attending by telephone conferencing may be counted towards achieving a quorum.

**ARTICLE VII**  
**Meetings**

- (1) Public Meeting Laws: WCJC is a public body subject to the public meetings and record laws as stated in ORS Chapter 192. All meetings will be open to the public.

(2) Regular Meetings: WCJC shall meet at least once per quarter. Regular meetings may be canceled or changed to another specific place, date or time provided that actual  
Ad Hoc Committees

**Section 1. Creation of Committees**

- 1.1 The WCJC Chair shall have Standing and Ad Hoc Committees organized and appointed by the WCJC Chair.
- 1.2 All committees will have a clearly defined written charge, that outlines responsibilities of the committee.

**Section 2. Membership of Committees**

- 2.1 Membership of the both Standing and Ad Hoc Committees shall consist of interested and appointed WCJC members.
- 2.2 Other persons, with expertise or interest may participate as resources to a standing or Ad Hoc committee.
- 2.3 All appointments to committees will be made by the WCJC Chair.
- 2.4 All committees will be chaired by a member of the WCJC.

~~Section 3. Standing Committees~~

~~3.1 Function~~

- ~~3.1.1 Standing Committees are the permanent committees of the WCJC.~~
- ~~3.1.2 There shall be at least three standing committees of the WCJC: Executive Committee, Lay Committee, Budget Committee, and other committees as approved by the WCJC.~~

~~3.2 Membership~~

- ~~3.2.1 See Article 14, Sections 5, 6, 7, for membership of Standing Committees.~~

~~3.3 Responsibilities~~

- ~~3.3.1 Standing Committees are required to draft a work plan for the next fiscal year, that must be approved by the WCJC by June.~~
- ~~3.3.2 Standing Committees activities are limited to the execution of the approved work plan.~~
- ~~3.3.3 Standing Committee Chairs shall insure that records of meetings are kept.~~
- ~~3.3.4 Standing Committees are required to submit quarterly reports of committee activities to the Executive Committee/WCJC (July, September, January, April).~~

~~Section 4. Ad Hoc Committees~~

~~4.1 Function~~

- ~~4.1.1 Ad Hoc Committees are committees formed for a specific purpose and a limited duration.~~

~~4.2 Membership~~

- ~~4.2.1 The WCJC or the Chair may create Ad Hoc Committees comprised of WCJC members to perform such tasks as the WCJC or Chair may designate.~~

~~Section 5. Executive Committee—WCJC Standing Committee~~

~~5.1 Function~~

- ~~5.1.1 The functions of the Executive Committee are to provide oversight to WCJC staff operations, and set the agenda for WCJC meetings.~~

~~5.2 Membership~~

- ~~5.2.1 The Executive Committee is comprised of the WCJC's officers (*Chair, Chair-Elect, and Treasurer*) and at least two other members elected annually by the WCJC.~~

~~5.3 Authority~~

- ~~5.2.2 The Executive Committee shall have the authority to make decisions on the WCJC's behalf on matters requiring action before the next scheduled WCJC meeting.~~
- ~~5.2.3 The Executive Committee shall report all such decisions to the WCJC at its next meeting.~~

~~5.4 Meeting~~

- ~~5.4.1 Special meetings of the Executive Committee may be called by the Chair, as s/he may deem necessary.~~
- ~~5.4.2 In the event of the Chair's failure or inability to act, special meetings shall be called by the Chair-Elect.~~

~~5.5 Responsibilities~~

- ~~5.5.1 Article 14, Section 3.~~

~~Section 6. Lay Committee – WCJC Standing Committee~~

~~6.1 Purpose~~

~~6.1.1 The WCJC Lay Committee, composed of individuals of diverse perspectives, provides a “unique ability to look impartially at how criminal justice services are delivered in the region of Benton County”, (3/19/97 Lay Committee minutes).~~

~~6.2 Membership~~

~~6.2.1 The Lay Committee shall consist of all members described in Article 6, Section 6.1.~~

~~6.3 Function~~

~~6.3.1 The function of the Lay Committee is to consider long-range planning and the delivery of services in the Benton County criminal justice system.~~

~~6.4 Meetings~~

~~6.4.1 The Lay Committee is required to meet at least once each fiscal year.~~

~~6.5 Responsibilities~~

~~6.5.1 See Article 14, Section 3.~~

~~Section 7. Budget Committee – WCJC Standing Committee~~

~~7.1 Purpose~~

~~7.1.1 Develop the annual WCJC budget, Article 17 (WCJC Budget).~~

~~7.2 Membership~~

~~7.2.1 Members shall be WCJC members as specified in Article 15, Section 2 as designated by the WCJC Chair.~~

~~7.2.2 The Treasurer shall serve as the chair for the Budget Committee.~~

~~7.3 Responsibilities~~

~~7.3.1 Develop the annual WCJC budget and present it to the WCJC for approval.~~

**Article 15. TASK FORCES**

**Section 1. Creation**

1.1 To facilitate the development of sound public safety policies, strategies and programs, the WCJC or the Chair with the WCJC's consent, may convene Task Forces to undertake the study, analysis and development of proposals and recommendations regarding criminal justice issues of interest to the WCJC.

1.2 Task Forces will have a clearly defined written charge, which outlines Task Force responsibilities.

**Section 2. Membership**

2.1 Task Forces may include persons who are not members of the WCJC.

2.2 Task Forces will be chaired by a member of the WCJC, as designated by the WCJC Chair.

**Section 3. Responsibilities**

3.1 Activities of a Task Force are limited to the execution of the approved work plan.

3.2 Task Forces shall be required to make regular reports to the WCJC Executive Committee and/or WCJC as specified in the Task Force's Charge.

## ~~Article 16. STAFF~~

### ~~Section 1. Scope of Contract for Services~~

~~The WCJC may contract for the services it deems necessary to carry out its duties, including but not limited to:~~

- ~~1.1 Technical criminal justice planning;~~
- ~~1.2 Coordination, administration and management of WCJC activities;~~
- ~~1.3 Financial administration;~~
- ~~1.4 Development and administration of the Strategic Plan, and~~
- ~~1.5 Such other duties as the WCJC may direct.~~

### ~~Section 2. Staff for WCJC~~

- ~~2.1 Personnel hired with WCJC-administered funds shall, for the purposes of personnel administration, become employees of the governmental body designated as the WCJC's Financial Administrator.~~
- ~~2.2 The Financial Administrator is a subject employer under ORS Chapter 656 and will maintain currently valid worker's compensation coverage for employees hired by the WCJC.~~
- ~~2.3 The Financial Administrator is responsible for insuring any liabilities incurred by the employees.~~

## ~~Article 17. WCJC BUDGET~~

### ~~Section 1. Annual Budget Preparation~~

- ~~1.1 The WCJC Budget Committee, chaired by the WCJC Treasurer, shall prepare an annual budget recommendation for presentation to the participating governmental bodies for their approval and adoption.~~

### ~~Section 2. Funding of WCJC Activities~~

- ~~2.1 Funding of strategic priorities undertaken by the WCJC will be shared by member jurisdictions, according to their cost share. The cost share of each member jurisdiction is determined by a population-based formula.~~
- ~~2.2 Funding of state mandates to local public safety coordinating councils shall be fully funded by Benton County.~~

### ~~Section 3. Financial Participation of Member Jurisdictions~~

- ~~3.1 A governmental body's membership on and authority to make appointments to the WCJC is contingent upon payment of its agreed share of the WCJC budget.~~

~~Article 18. FINANCIAL ADMINISTRATION~~

~~Section 1. Designation of Financial Administrator~~

- ~~1.1 The WCJC shall select one of the participating governmental bodies or any other agency so determined by the WCJC to be the WCJC's Financial Administrator.~~
- ~~1.2 The WCJC may authorize the payment of a reasonable fee for the Financial Administrator's services.~~

~~Section 2. Accounts~~

- ~~2.1 The Financial Administrator shall establish a special revenue or trust account to administer the WCJC's budget in accordance with Local Budget Law and generally accepted accounting practices.~~
- ~~2.2 The WCJC shall comply with the Financial Administrator's contracting and purchasing regulations.~~

~~Section 3. Financial Reports~~

- ~~3.1 The Financial Administrator shall provide such financial reports as may be requested by the WCJC, WCJC staff, the participating governmental bodies, or the public.~~

~~Section 4. WCJC Assets~~

- ~~4.1 Any assets purchased through the WCJC's budget shall become the joint property of the participating governmental bodies.~~
- ~~4.2 If the WCJC is dis-established, the assets will be distributed as equitably as possible by the WCJC to the participating governmental bodies.~~
- ~~4.3 A governmental body or public agency that voluntarily withdraws from the WCJC will be deemed to have transferred its interest in any jointly owned assets to the remaining participants.~~

~~Article 19.~~

~~BYLAWS — ADOPTION AND AMENDMENT~~

~~Section 1. Procedure~~

- ~~1.1 Adoption
 
  - ~~1.1.1 The WCJC bylaws shall be adopted by the WCJC membership.~~~~
- ~~1.2 Amendment
 
  - ~~1.2.1 The WCJC may amend the Bylaws consistent with the Intergovernmental Agreement and applicable ORS, subject to the concurrence of a quorum.~~
  - ~~1.2.2 Amendment of the WCJC Bylaws shall only occur at a regular or special WCJC meeting of the full membership.~~~~

~~Written notice shall be given at least 5 days prior.~~

~~(3) Attendance: Members are expected to amend the Bylaws attend meetings. Lack of attendance may result in subsequent removal pursuant to Benton County Code ch. 3.035.~~

- (4) Notice shall: WCJC will provide for and give public notice, reasonably calculated to give actual notice, to Council members, interested persons, news media that have requested notice, and general public notice. Notice shall include the time and place for holding regular meetings. The notice will also include a list of the primary subjects anticipated to be considered at the meeting. Distribution of meeting notices will be in a manner that maximizes the potential of the public awareness of the proceedings of WCJC and to participate in its deliberations.
- (5) Special Meetings: Special meetings may be called by the Chair by notifying all members and the general public through a news media notice not less than 24 hours prior to the time of the special meeting. When possible, notice should be provided as soon as possible to encourage public participation.
- (6) Quorum: The majority of the appointed, voting WCJC membership will constitute a quorum for the transaction of all business at meetings. Non-voting members are not counted towards achieving a quorum. Members may attend either in person or by conference call so long as persons in attendance and on the telephone can both hear and communicate with each other. Members attending by telephone conferencing may be counted towards achieving a quorum.
- (7) Decision Making Procedure: Each voting member of WCJC is entitled to one vote on all issues presented at meetings at which the member is present. The primary decision-making method shall be the consensus process. Consensus is achieved when all members approve an action. However, if consensus cannot be achieved with regard to any issue, decision-making shall be accomplished by majority vote. Majority is defined as a majority of the appointed, voting Council members present at the meeting.
- (8) Minutes: The staff member assigned to WCJC is responsible for preparing meeting minutes. Minutes will include a list of the members present, motions, proposals, resolutions, and orders proposed and their disposition, the results of all votes and a vote by each member by name, the substance of any discussions on any matter, and reference to any document discussed at that meeting. Minutes will be distributed to the membership one week prior to the monthly meeting. Minutes will also be distributed to the Board and posted on the Benton County website.
- (9) Agendas: WCJC members and county staff may make recommendations for agenda items to the Chair who will prepare the agenda. The agenda will be distributed to members prior to a regular meeting.

**ARTICLE VIII**

**Ad Hoc Committees**complete copy of the proposed

As necessary, WCJC may request the formation of ad hoc committees to deal with specific problems or issues as it deems appropriate. All ad hoc committees are required to report relevant



findings and/or recommendations to WCJC. Ad hoc committee members need not be members of WCJC.

**ARTICLE IX**  
**Amendments**

- (1) Amendments Initiated by WCJC: WCJC may propose amendments to the bylaws. Any recommendations agreed upon by a majority of WCJC shall be forwarded to the Board for its approval. Any changes must be approved by the Board of Commissioners.
- (2) Amendments Initiated by Board of Commissioners: The Board of Commissioners may initiate changes to the bylaws. These changes will be submitted to WCJC for review and consultation prior to Board adoption.

Adopted this 4<sup>th</sup> day of February, 2025.

Signed this 4<sup>th</sup> day of February, 2025.

BENTON COUNTY BOARD OF  
COMMISSIONERS

\_\_\_\_\_  
Nancy Wyse, Chair

\_\_\_\_\_  
Pat Malone, Vice Chair

\_\_\_\_\_  
Gabe Shepherd, Commissioner

Approved as to form:

\_\_\_\_\_  
1-2-3 Vance M. Croney, County Counsel

**BYLAWS**  
**Benton County Willamette Criminal Justice Council**

**ARTICLE I**  
**Name and Statutory Authority**

This local public safety coordinating council is established pursuant to ORS 423.560 and shall be known as the Benton County Willamette Criminal Justice Council. This advisory council is established to carry out the statutory duties described in ORS 423.560-.565; 423.569; and 135.941.

**ARTICLE II**  
**Purpose**

The Willamette Criminal Justice Council (WCJC) shall:

- (1) Promote and facilitate fair, efficient, and coordinated criminal justice services in Benton County.
- (2) Provide long-range planning for the delivery of criminal justice services in Benton County.
- (3) Provide timely information to governmental agencies and to the public on criminal justice matters of local concern.
- (4) Perform the duties of a local public safety coordinating council as required by law.
- (5) Promote and facilitate the coordination of policy and long-range planning for criminal justice services and agencies in Benton County.

**ARTICLE III**  
**Responsibilities**

The Council shall at a minimum:

- (1) Develop and recommend to the Benton County Board of Commissioners (“Board”) a plan for use of:
  - (a) State resources to serve the local offender population; and
  - (b) State and local resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age, which plan must provide for coordination of community-wide services involving prevention, treatment, education, employment resources and intervention strategies.

- (2) Coordinate local criminal justice policy among affected criminal justice entities.
- (3) Develop and recommend to the Board the plan for use of state resources to serve the local youth offender population.
- (4) Coordinate local juvenile justice policy among affected juvenile justice entities.
- (5) Consider proposed establishment of halfway houses, work release centers, treatment homes and other facilities by public agencies pursuant to ORS 169.690.
- (6) Provide annual summary to the Oregon Criminal Justice Commission outlining county program, service or budget changes made in response to recommendations of WCJC.
- (7) WCJC may make other recommendations to the Benton County Board of County Commissioners for the betterment of the Benton County criminal and juvenile justice systems

**ARTICLE IV  
Membership**

WCJC shall consist of the following members. Additional members may be added by the board of commissioners as deemed necessary:

| Membership Requirements – ORS 423.560 – must include but not limited to the following |  |  |  |
|---|--|--|--|
| EXECUTIVE COMMITTEE   | 1.   | A police chief                                   | Appointment by rotation as set forth in subsection (1) a. below. |
|   | 2.   | Benton County Sheriff or designee                | Ongoing by occupying the office                                  |
|   |  | <sup>1</sup> A director of community corrections | Appointed by the county commissioners                            |
|   | 3.   | Benton County District Attorney or designee      | Ongoing by occupying the office                                  |
|   | 4.   | A state court judge or designee                  | Appointed by the presiding judge                                 |
|   | 5.   | A public defender or defense attorney            | Appointed by the presiding judge                                 |
|   | 6.   | A county commissioner                            | Appointed by the county commissioners                            |
|   | 7.   | A Juvenile department director                   | Ongoing by occupying the department head position                |
|   | 8.   | A health director                                | Ongoing by occupying the department head position                |
|   |  | <sup>2</sup> A mental health director            | Ongoing by occupying the department head position                |
|   | 9.   | A representative from victim services nonprofit  | Appointed by the county commissioners                            |
|   | 10.  | At least one lay citizen                         | Appointed by the county commissioners                            |
|   | 11.  | A city councilor or mayor                        | Appointment by rotation as set forth in subsection (1) b. below. |
|   | 12.  | A city manager or other city representative      | Appointment by rotation as set forth in subsection (1) c. below. |
| 13.   | Oregon State Police representative (non-voting)                            | Selected by the Superintendent of State Police   |  |
| 14.   | An Oregon Youth Authority representative (non-voting)                      | Selected by the director the Youth Authority     |  |
| <b>Additional Council Members</b>   |  |  |  |
| 15.   | The manager of the local branch of the Oregon Department of Human Services | Self-appointing                                  |  |

<sup>1</sup> The Benton County Sheriff is the community corrections director in Benton County

<sup>2</sup> The Benton County Health Administrator is also the county’s mental health administrator

|            |   |  |
|------------|---|--|
| 16.        | An Oregon State University representative   | Appointed by the president of the University   |
| 17.        | An Oregon State University senior administrator   | Appointed by the president of the University   |
| 18.        | An Associated Students of Oregon State University (ASOSU) representative                    | Appointed by the ASOSU president   |
| 19.        | Community-based organization providing services to justice-involved individuals or families | Executive committee to make recommendation to county commissioners who shall have appointing authority                   |
| 20.        | A school district superintendent or school board member                                     | Nominated by the Superintendent of the Corvallis School District and approved by a majority of the other superintendents |
| 21.        | A crime victim representative   | Executive committee to make recommendation to county commissioners who shall have appointing authority                   |
| 22.        | A minority community representative   | Executive committee to make recommendation to county commissioners who shall have appointing authority                   |
| 23.-<br>27 | Seats for police chiefs not currently filling position (1) on the Executive Committee       | Self-Appointing  |

(1) For the membership seats of police chief (position 1), city councilor or mayor (position 11) and city manager or other representative (position 12), the seats will be filled on a biennial , rotating basis as follows:

- a. Position (1), police chief. City of Corvallis, beginning on Jan. 1, 2025; City of Albany, beginning on Jan. 1, 2027; City of Philomath, beginning on Jan. 1, 2029; Oregon State University Police Department, on Jan. 1, 2031; City of Monroe, if applicable, on Jan. 1, 2033; City of Adair Village, if applicable, on Jan. 1, 2035. In the event a city does not have a police chief on the date it is scheduled to assume Position (1), the seat shall be filled by the next city in the rotation. Following completion of the first rotation, the process shall repeat with the first city named above.
- b. Position (11), city councilor or mayor. City of Albany, beginning on Jan. 1, 2025; City of Philomath, beginning on Jan. 1, 2027; City of Monroe, beginning on Jan. 1, 2029; City of Adair Village, on Jan. 1, 2031; City of Corvallis, on Jan. 1, 2033. In the event a city chooses not to appoint a representative on the date it is scheduled to assume Position (11), the seat shall be filled by the next city in the rotation. Following completion of the first rotation, the process shall repeat with the first city named above.
- c. Position (12), city manager or other city representative. City of Philomath, beginning on Jan. 1, 2025; City of Monroe, beginning on Jan. 1, 2027; City of Adair Village, beginning on Jan. 1, 2029; City of Corvallis, on Jan. 1, 2031; City of Albany, on Jan. 1, 2033. In the event a city chooses not to appoint a representative on the date it is scheduled to assume Position (12), the seat shall be filled by the next city in the rotation. Following completion of the first rotation, the process shall repeat with the first city named above.

- (2) Terms of Office: Members shall serve at the pleasure of the appointing authority or until the member no longer holds the public office described. Citizen members shall serve a term of four (4) years. Citizen members may serve more than one term.
- (3) Termination of Membership: The Board of Commissioners or presiding judge may remove members under their respective appointing authorities, pursuant to Benton County Code ch. 3.035.
- (4) Resignation: Member resignations shall be submitted in writing to the WCJC Chair and announced at the next regularly scheduled meeting. The Chair shall forward a copy of the resignation to the Board of Commissioners and the presiding judge.
- (5) Vacancies: The appointing authorities of the mandated positions shall fill a vacancy over which they have appointment authority within three months of the vacancy or as soon as possible.
- (6) Membership requirement: No entity shall be granted membership on either WCJC or the Executive Committee unless it fully and continuously contributes to the financial support of WCJC pursuant to the Intergovernmental Agreement executed by all participating entities.

## ARTICLE V Officers

The officers shall be a Chair and Vice-chair. A county commissioner, or designee from the executive committee, will be the chair and will facilitate WCJC meetings. The Chair will nominate the Vice-chair who shall be elected by a majority of members of WCJC and shall hold office for a term of two (2) years.

- (1) Chair Responsibilities:
  - (a) The Chair shall enforce WCJC directives, guidelines and membership rules and will guide the conduct of public meetings.
  - (b) The Chair is the official representative of WCJC and will be the official Spokesperson to the media.
  - (c) The Chair shall appoint a Vice-Chair to complete the term of Vice-Chair if the office becomes vacant.
  - (d) The chair shall form subcommittees, including the subcommittee required by ORS 423.565(4), and form task forces. The chair shall appoint subcommittee and task force members.
  - (e) The Chair shall notify the relevant appointing authority in writing if at any time a member appears unable to serve, a position appears vacant, or upon the expiration of the term of any citizen member if the Chair has not received notice of reappointment.

- (2) Vice-Chair Responsibilities:
  - (a) In the absence of the Chair, the Vice-chair shall assume the Chair's responsibilities.
  - (b) If the Chair and Vice-chair are not available for a publicly convened meeting, then the assembled quorum of the meeting will select a temporary chairperson to conduct the meeting.

**ARTICLE VI**  
**Executive Committee**

- (1) The executive committee (Committee) shall be comprised of the members statutorily mandated to the public safety coordinating council through ORS 423.560.
- (2) The Chair of WCJC shall be the Chair of the Committee.
- (3) The executive committee shall meet quarterly, or more often if needed, for the purposes of:
  - (a) Taking action on behalf of WCJC. Actions taken must be reported to the full WCJC body at the next regularly scheduled meeting.
  - (b) Receiving and reviewing recommendations from ad hoc committees and other interested parties and taking action on items as needed. Actions taken must be reported to the full WCJC body at the next regularly scheduled meeting.
  - (c) Reviewing and taking action on future public safety agency budgets and making recommendations to the Board regarding budgeting priorities. Actions taken must be reported to the full WCJC body at the next regularly scheduled meeting.
  - (d) Developing agendas for regular WCJC meetings.
  - (e) Considering matters on behalf of WCJC otherwise deemed necessary by the Chair.
- (4) Committee actions require a quorum. The majority of the appointed, voting Committee membership will constitute a quorum for the transaction of all business at Committee meetings. Non-voting members are not counted towards achieving a quorum. Members may attend either in person or by conference call so long as persons in attendance and on the telephone can both hear and communicate with each other. Members attending by telephone conferencing may be counted towards achieving a quorum.

**ARTICLE VII**  
**Meetings**

- (1) Public Meeting Laws: WCJC is a public body subject to the public meetings and record laws as stated in ORS Chapter 192. All meetings will be open to the public.

- (2) Regular Meetings: WCJC shall meet at least once per quarter. Regular meetings may be canceled or changed to another specific place, date or time provided that actual notice is given.
- (3) Attendance: Members are expected to attend meetings. Lack of attendance may result in subsequent removal pursuant to Benton County Code ch. 3.035.
- (4) Notice: WCJC will provide for and give public notice, reasonably calculated to give actual notice, to Council members, interested persons, news media that have requested notice, and general public notice. Notice shall include the time and place for holding regular meetings. The notice will also include a list of the primary subjects anticipated to be considered at the meeting. Distribution of meeting notices will be in a manner that maximizes the potential of the public awareness of the proceedings of WCJC and to participate in its deliberations.
- (5) Special Meetings: Special meetings may be called by the Chair by notifying all members and the general public through a news media notice not less than 24 hours prior to the time of the special meeting. When possible, notice should be provided as soon as possible to encourage public participation.
- (6) Quorum: The majority of the appointed, voting WCJC membership will constitute a quorum for the transaction of all business at meetings. Non-voting members are not counted towards achieving a quorum. Members may attend either in person or by conference call so long as persons in attendance and on the telephone can both hear and communicate with each other. Members attending by telephone conferencing may be counted towards achieving a quorum.
- (7) Decision Making Procedure: Each voting member of WCJC is entitled to one vote on all issues presented at meetings at which the member is present. The primary decision-making method shall be the consensus process. Consensus is achieved when all members approve an action. However, if consensus cannot be achieved with regard to any issue, decision-making shall be accomplished by majority vote. Majority is defined as a majority of the appointed, voting Council members present at the meeting.
- (8) Minutes: The staff member assigned to WCJC is responsible for preparing meeting minutes. Minutes will include a list of the members present, motions, proposals, resolutions, and orders proposed and their disposition, the results of all votes and a vote by each member by name, the substance of any discussions on any matter, and reference to any document discussed at that meeting. Minutes will be distributed to the membership one week prior to the monthly meeting. Minutes will also be distributed to the Board and posted on the Benton County website.
- (9) Agendas: WCJC members and county staff may make recommendations for agenda items to the Chair who will prepare the agenda. The agenda will be distributed to members prior to a regular meeting.

**ARTICLE VIII  
Ad Hoc Committees**

As necessary, WCJC may request the formation of ad hoc committees to deal with specific problems or issues as it deems appropriate. All ad hoc committees are required to report relevant findings and/or recommendations to WCJC. Ad hoc committee members need not be members of WCJC.

**ARTICLE IX  
Amendments**

- (1) Amendments Initiated by WCJC: WCJC may propose amendments to the bylaws. Any recommendations agreed upon by a majority of WCJC shall be forwarded to the Board for its approval. Any changes must be approved by the Board of Commissioners.
- (2) Amendments Initiated by Board of Commissioners: The Board of Commissioners may initiate changes to the bylaws. These changes will be submitted to WCJC for review and consultation prior to Board adoption.

Adopted this 4<sup>th</sup> day of February, 2025.

BENTON COUNTY BOARD OF  
COMMISSIONERS

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Nancy Wyse, Chair

---

Pat Malone, Vice Chair

---

Gabe Shepherd, Commissioner

Approved as to form:

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Vance M. Croney, County Counsel



## Board of Commissioners Agenda item

### Agenda Placement and Contacts

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**Suggested Agenda Date** 02/04/25

View [Agenda Tracker](#)

**Suggested Placement \*** BOC Tuesday Meeting

**Department \*** Board of Commissioners

**Contact Name \*** Rick Crager

**Phone Extension \*** 5417666246

**Meeting Attendee Name \*** Damien Sands and April Holland

### Agenda Item Details

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**Item Title \*** Crisis Center - Permanent Position Establishment

**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

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### Item Issues and Description

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**Identified Salient Issues \***

The new Crisis Center is scheduled for completion in April/May 2025. It is anticipated that upon completion, it will require three to four months to get staffed to the point of opening the doors for patients. There is currently a project manager in place to outline the operational plan over the next six to eight months.

In total, the Crisis Center anticipates between 25 and 30 new positions once it is fully staffed. However, those positions will be brought on in stages as the clinic gets up to its fully capacity. Many of these positions will be established as part of the 2025-27 budget process, however, there will be some that need to begin prior to June 30, 2025. Because of this, those positions will need to be established in the current biennial budget.

The Health Department will soon begin bargaining for the professional positions, so any of those that need to be established will occur sometime in March. However, there is a need to establish 2.0 FTE management positions to help support the early planning and operationalizing of the Crisis Center.

The request is to establish the Crisis Center Program Director and the Administrative Director. These positions have been reviewed by Human Resources and the proposed classification is approved. These two positions, along with others that get established for the current biennium, will be part of the next scheduled budget supplement submitted to the Board of Commissioners for approval. All positions will be funded through a newly negotiated per-member-per-month (PMPM) rate. The Behavioral Health Director is currently working with the Intergrated Health Network to finalize this rate, however, the attached memorandum from IHN demonstrates their commitment to the Crisis Center and supporting the necessary funding for the project.

**Options \***

1. Approve the request to allow for management and leadership capacity in the early planning and operationalizing of the new Crisis Center.
2. Deny the request and risk the delay of operationalizing the Crisis Center.

**Fiscal Impact \***

- Yes  
 No

**Fiscal Impact Description \***

The budget impact is estimated to be approximately \$85,000 in 2023-25 for these two positions assuming a hire date of 03/15/2025.

## 2040 Thriving Communities Initiative

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**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\*

Provides equitable services to vulnerable populations struggling with mental health crisis.

#### 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\*

Ensures community safety by helping those that may be at risk of harming themselves or others.

## Recommendations and Motions

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### Item Recommendations and Motions

---

**Staff Recommendations \*** Staff recommends approval of 2.0 FTE for the Health Department to enable early planning and operationalization of the new Crisis Center. The budgetary impact of this approval will be codified in the next budget supplement.

**Meeting Motion\*** I move to approve 2.0 FTE in the 2023-25 Health Department budget to support operationalizing the new Crisis Center.

## Attachments, Comments, and Submission

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### Item Comments and Attachments

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**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.

|                                      |          |
|--------------------------------------|----------|
| Crisis Center Funding Support.pdf    | 319.44KB |
| PD - Crisis Ctr Admin Director.pdf   | 244.96KB |
| PD - Crisis Ctr Program Director.pdf | 291.33KB |

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

**Department Approver** RICK CRAGER

**BENTON COUNTY POSITION DESCRIPTION**

| CLASSIFICATION               |   | BAND               | GRADE             | SUBGRADE    | FLSA STATUS |
|------------------------------|---|--------------------|-------------------|-------------|-------------|
| Program Manager              |   | C                  | 4                 | 3           | Exempt      |
| POSITION TITLE:              | <b>Crisis Programs Administrative Manager</b> |                    | POSITION#:        |             |             |
| <input type="checkbox"/> New | <input checked="" type="checkbox"/> Revised   | Date:              | 10/02/2024        |             |             |
| SERVICE TYPE:                |   | NON-REP MANAGEMENT |                   |             |             |
| Employee Name:               |   | Department:        | Health            | Supervisor: |             |
| FTE:                         | 1.0   | Employment Status: | Regular Full Time |             |             |

**Position Summary:**

This position is responsible for the administrative operation, direction, and evaluation of assigned administrative duties of Crisis and Safety Net Services which includes Benton County Crisis Center. Plays a key role in coordination of business strategies and works with the crisis programs director and crisis programs clinical manager to ensure that operations and workflows are effective and efficient. This includes QI/QA, reporting of and ongoing review of metrics and data. Works in concert and collaboration with crisis programs leadership to ensure service and operational standards are met.

**Essential Duties:**

| No. | Major Functional Area (MFA)  | % of Time |
|-----|--|-----------|
| 1   | <p><b>MFA: Program Management- Administrative</b></p> <p><b>Essential Duties:</b></p> <ul style="list-style-type: none"> <li>• Supervise assigned services including direct workflow for patient care. Prepares reports on achievements as required.</li> <li>• Maintain service priorities by evaluating the needs of client or target population.</li> <li>• Assess, recommend, and implement staffing, and equipment resources to effectively implement service goals.</li> <li>• Assist manager in monitoring revenues and expenditures to assure compliance with budgetary goals. Makes recommendations and implements strategies to support positive financial performance.</li> <li>• Design and implement service delivery models updates to maintain best practices by evaluating trends in service areas.</li> <li>• Evaluate service deliverables and outcomes.</li> <li>• Collaborate with the Community Health Centers and Health Department to ensure integrated delivery to programs and services.</li> <li>• Ensure effective communication, engage input and feedback, and promote understanding of policy and operational goals, outcomes, and improvements.</li> <li>• Design, development and implement Quality Improvement processes and initiatives. Uses Quality Improvement tools and data to evaluate and guide decisions and demonstrate improvement.</li> <li>• Supervise assigned mental/behavioral health services staff. Includes prioritizing and assigning work, conducting performance evaluations, ensuring staff are trained, ensuring that employees follow policy and procedures, maintaining a healthy and safe work environment and making hiring, termination, and disciplinary decisions.</li> <li>• Provides coaching and mentoring opportunities and provides technical and professional assistance to staff.</li> <li>• Assure ethical practice and confidentiality are maintained.</li> </ul> | 50%       |

|                                      |   |             |
|--------------------------------------|---|-------------|
| 2                                    | <p><b>MFA: Policy Implementation</b><br/> <b>Essential Duties:</b></p> <ul style="list-style-type: none"> <li>• Evaluate, recommend and Implement policies and procedures to assure efficient and professional delivery of services.</li> <li>• Assure compliance with department and county policies, state and federal statutes and rules, certification/compliance requirements, and funding requirements. Provide reports demonstrating compliance as required.</li> <li>• Collaborate in the development and assist in implementation of a broad mental/behavioral health strategy that includes multiple sites, and development of new mental/behavioral health strategies.</li> <li>• Collaborate in assessment, and monitoring of local needs to address access to mental/behavioral health programs of targeted population.</li> <li>• Evaluate and make recommendations to management on emerging issues, policies and strategies relevant to service areas.</li> </ul> | 30%         |
| 4                                    | <p><b>MFA: Community Relationships</b><br/> <b>Essential Duties:</b></p> <ul style="list-style-type: none"> <li>• Maintain working relationships with community partners, collaborating and participating in planning and program changes to enhance continuity and a coordinated system of care within the community.</li> <li>• Collaborate in the development and distribution of materials and strategies that increase awareness of, and access to, mental/behavioral health services.</li> <li>• Consult, educate and advise community agencies and the public as requested.</li> <li>• Participate in coalitions, committees, and task forces at the community, regional, and/or state level.</li> </ul>   | 20%         |
| <b>And other duties as assigned.</b> |   |             |
| <b>Percentages should total 100%</b> |   | <b>100%</b> |

**Special Requirements:**

Bachelor’s degree in business, public administration, healthcare administration, or related field; Advanced knowledge of OCHIN reporting and functionality; Two years of management/supervision experience preferred. Must maintain a valid Oregon Driver’s license to transport clients. Clients are to be transported in county owned vehicles only. Required trainings: Mental Health First Aid, Trauma Informed Care, Food Handler License, and De-escalation/Conflict Resolution, others as required by program manager.

**Physical Requirements:**

Physical Demands:  
 While performing the duties of this job, the employee is frequently required to use hands to finger, handle or feel; talk; or hear. The employee is occasionally required to stand; walk; sit; reach with hands and arms; and stoop; kneel; or crouch The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision, depth perception and ability to adjust focus.

Work Environment:  
 The employee may work any hours as urgent and emergent work demands, nights and weekends. The noise level in the work environment is quiet to moderate. **Check the following that applies to this position:** The employee may occasionally:  work with angry or hostile clients or members of the public,  work with toxic substances and biohazards, and  exposure to infectious illnesses.

**Emergency Preparedness:**

Benton County is committed to emergency preparedness planning and implementation and disaster recovery. In the case of a Health Department, County, State, Federal or other emergency or disaster, this position may be called upon to assist in responding. This may require the assignment of additional responsibilities.

**NOTE:** The above job description is intended to represent only the key areas of responsibilities; specific position assignments will vary depending on the business needs of the department.

Employee: \_\_\_\_\_ Date: \_\_\_\_\_

Immediate Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_

**BENTON COUNTY POSITION DESCRIPTION**

| CLASSIFICATION               |   | BAND               | GRADE                | SUBGRADE    | FLSA STATUS                            |
|------------------------------|---|--------------------|----------------------|-------------|--|
| Program Manager              |   | D                  | 6                    | 1           | Exempt                                 |
| POSITION TITLE:              | <b>Community Mental Health<br/>Program Crisis Programs Director</b> |                    | POSITION#:           |             |  |
| <input type="checkbox"/> New | <input checked="" type="checkbox"/> Revised                         | Date:              | 12/01/2024           |             |  |
| SERVICE TYPE:                |   | NON-REP MANAGEMENT |                      |             |  |
|                              |   | Department:        | Health<br>Department | Supervisor: | Behavioral Health Division<br>Director |
| FTE:                         | 1.0   | Employment Status: | Regular Full Time    |             |  |

**Position Summary:**

Under the general direction of the **Behavioral Health** Division Director, the CMHP Crisis Programs Director is responsible for the operation, management, coordination, and evaluation of all safety net behavioral health programs and services. This position provides oversight for assigned safety net behavioral health programs occurring at the crisis center and other county locations and community settings. The incumbent holds a key role in coordination of all safety net behavioral health strategies for service delivery, collaborative cross-departmental coordination, education, and prevention.

**Essential Duties:**

| No. | Major Functional Area (MFA)   | % of Time |
|-----|---|-----------|
| 1   | <p><b>MFA: Crisis Programs Management and Oversight</b></p> <p><b>Essential Duties:</b></p> <ul style="list-style-type: none"> <li>Oversee the operation and integration of County crisis services, ensuring that all programs are effectively coordinated with in-scope behavioral health services, providing comprehensive care and seamless transitions between services.</li> <li>Develop and implement Crisis Programs operational priorities, plans, and procedures.</li> <li>Closely collaborate with the CMHP Director and the CHC to develop cross-departmental processes and agreements.</li> <li>Monitor program outcomes, performance metrics, and trends, using data to inform service improvement strategies and make necessary programmatic adjustments.</li> <li>Actively participate in Health Services management meetings and work with leadership and Program Managers within the Health Center and Health Department to deliver an integrated approach to programs and services.</li> <li>Facilitate meetings to communicate, engage input and feedback, and promote understanding of policy and operational goals, outcomes, and improvements.</li> <li>Supervise the work of professional and technical mental/behavioral health services staff. Includes prioritizing and assigning work, conducting performance evaluations, ensuring staff are trained, ensuring that employees follow policy and procedures, maintaining a healthy and safe work environment and making hiring, termination and disciplinary decisions.</li> <li>Ensure and promote a healthy workplace culture.</li> <li>Assure ethical practice and confidentiality are maintained.</li> </ul> | 40%       |



|                                      |  |             |
|--------------------------------------|--|-------------|
| 2                                    | <p><b>MFA: Policy Development, Strategic Planning, and Fiscal Management</b><br/> <b>Essential Duties:</b></p> <ul style="list-style-type: none"> <li>• Develop, implement, and update policies, ensuring compliance with legal and regulatory standards, and monitor their effectiveness.</li> <li>• Assure compliance with department and county policies, state and federal statutes and rules, certification/compliance requirements, and funding requirements. Provide reports demonstrating compliance as required.</li> <li>• Work closely with the Community Mental Health Program Director and other leadership to establish strategic priorities for crisis intervention services, ensuring alignment with county health goals and addressing community needs.</li> <li>• Lead and participate in assessment, plan development, and monitoring of local needs to address access to mental/behavioral health programs of targeted population.</li> <li>• Provide fiscal oversight of crisis services, including program budget preparation and management, ensuring resources are allocated efficiently and programs remain fiscally sustainable.</li> <li>• Oversee contracts and funding sources, ensuring compliance with contractual obligations and regulations, and participate in audits and reviews to address any corrective actions.</li> </ul> | 30%         |
| 3                                    | <p><b>MFA: Collaboration and Community Engagement</b><br/> <b>Essential Duties:</b></p> <ul style="list-style-type: none"> <li>• Foster strong working relationships internally and with community organizations, state agencies, and law enforcement to ensure coordinated crisis services.</li> <li>• Serve as a liaison with external partners, advocating for the county’s crisis services and participating in partnerships, coalitions, and task forces.</li> <li>• Participate in County- and state-level committees, including the Mental Health, Addictions Developmental Diversity Advisory Committee (MHADDAC), representing crisis services and contributing to policy discussions.</li> <li>• Work closely with law enforcement to ensure crisis services are well-positioned to respond to incidents involving law enforcement and behavioral health professionals, including providing training and guidance for collaborative crisis response efforts.</li> <li>• Advise senior leadership on emerging issues, policies and strategies relevant to program area.</li> </ul>  | 20%         |
| 4                                    | <p><b>MFA: Special Projects and Leadership Support</b><br/> <b>Essential Duties:</b></p> <ul style="list-style-type: none"> <li>• Lead or participate in special projects as assigned by the Community Mental Health Program Director, often involving cross-departmental initiatives or grant-funded projects.</li> <li>• Provide leadership on county-wide initiatives related to crisis services, including system improvements, program development, and service expansion.</li> <li>• Support department-wide goals and initiatives, occasionally backing up other Division Directors as needed to ensure continuity of leadership and service delivery across the department.</li> </ul>   | 10%         |
| <b>And other duties as assigned.</b> |  |             |
| <b>Percentages should total 100%</b> |  | <b>100%</b> |

**Special Requirements:**

|  |
|--|
| Currently licensed in the state of Oregon as a licensed clinical social worker; master’s degree in social work; Driver’s license |
|--|

**Physical Requirements:**

**Physical Demands:**

While performing the duties of this job, the employee is frequently required to use hands to finger, handle or feel; talk; or hear. The employee is occasionally required to stand; walk; sit; reach with hands and arms; and stoop; kneel; or crouch. The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision, depth perception and ability to adjust focus.

**Work Environment:**

The employee works in well-lighted, clean environments. The noise level in the work environment is quiet to moderate. **Check the following that applies to this position:** The employee may occasionally:  work with angry or hostile clients or members of the public,  work with toxic substances and biohazards, and  exposure to infectious illnesses

**Emergency Preparedness:**

Benton County is committed to emergency preparedness planning and implementation and disaster recovery. In the case of a Health Department, County, State, Federal or other emergency or disaster, this position may be called upon to assist in responding. This may require the assignment of additional responsibilities, depending on the circumstances.

**Quality Improvement Participation:**

Employees are expected to participate in improving BHS' performance, processes, and programs through quality improvement activities, use of the PDSA model and participating on QI teams as assigned.

**NOTE:** The above job description is intended to represent only the key areas of responsibilities; specific position assignments will vary depending on the business needs of the department.

Employee: \_\_\_\_\_ Date: \_\_\_\_\_

Immediate Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_



November 7, 2024

Re: Benton County Crisis Center

To Whom It May Concern,

On behalf of InterCommunity Health Network (IHN-CCO), I am pleased to express our formal commitment to supporting the Benton County Crisis Center (BCCC) as part of our ongoing efforts to enhance behavioral health services across our community. We recognize the importance of the BCCC and are committed to ensuring that funding support will be forthcoming in calendar year 2025.

The BCCC represents a crucial addition to the continuum of care within Benton County, offering 24/7 services to individuals in crisis, regardless of age, ability to pay, or need for prior appointments. We are confident that this facility will have a transformative impact, providing immediate, accessible, and high-quality care for individuals experiencing behavioral health crises.

IHN-CCO will work closely with Benton County Behavioral Health to align budget planning and financial resources to support the BCCC's operations as it moves toward becoming fully operational in the second quarter of 2025. As discussions regarding the 2025 biennium contract cycle continue, we will ensure that funding for the center remains a top priority within the context of our shared goals and responsibilities.

We value the partnership between IHN and Benton County Behavioral Health and are committed to the success of the BCCC. Please rest assured of our support as we move forward in finalizing the necessary funding and operational details.

Thank you for your continued collaboration, and we look forward to the successful opening and operation of the Benton County Crisis Center.

Sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "Bruce Butler".

EAC77B987C8B48A...

Bruce Butler  
CEO



# AGENDA ITEM CHECKLIST

|                        |  |
|------------------------|--|
| Requested Meeting Date | February 4, 2025   |
| Meeting Type           | <input checked="" type="checkbox"/> Regular Board Meeting<br><input type="checkbox"/> Goal-setting Meeting<br><input type="checkbox"/> Information-sharing Meeting |
| Department             | Board of Commissioners Office  |
| Contact Name           | Nancy Wyse, Board Chair  |
| Phone/Extension        | 541.766.6800   |

## AGENDA ITEM DETAILS

|   |
|---|
| Enter the title of your agenda item here:<br>Philomath Chamber of Commerce Sponsorship Request, February 7 Samaritan Awards |
|---|

Please check all that apply to your item

- |   |   |
|---|---|
| <input type="checkbox"/> Appointments                     | <input type="checkbox"/> Ordinance/Public Hearing and 1 <sup>st</sup> Reading |
| <input type="checkbox"/> Budget                           | <input type="checkbox"/> Ordinance: 2 <sup>nd</sup> Reading and Adoption      |
| <input type="checkbox"/> Contract/Agreement               | <input type="checkbox"/> Proclamation   |
| <input checked="" type="checkbox"/> Discussion and Action | <input type="checkbox"/> Project/Committee Update                             |
| <input type="checkbox"/> Discussion Only                  | <input type="checkbox"/> Report   |
| <input type="checkbox"/> Order                            | <input type="checkbox"/> Other  |
| <input type="checkbox"/> Resolution                       |   |
| <input type="checkbox"/> Public Hearing                   |   |

|                                    |    |
|------------------------------------|----|
| <b>Board/Committee Involvement</b> | No |
|------------------------------------|----|

|                      |    |
|----------------------|----|
| <b>Advertisement</b> | No |
|----------------------|----|

## DESCRIPTION AND FISCAL IMPACT

Describe the item  
(include background,  
history, need,  
importance, benefits,  
requirements, etc.)

The 2025 Philomath Samaritan Awards will be held on Friday February 7, 2025 at 6 PM at the Philomath Scout Lodge. The Philomath Samaritan Awards event is hosted by the Philomath Area Chamber of Commerce and sponsored by local businesses and organizations. The Chamber hosts this awards ceremony to honor the volunteers who have been selected by their specific organization for recognition.

The Philomath First Citizens Awards are to honor members of our community that strive to enhance the lives of those around them. Nominations come from within the community and are judged in the areas of leadership, diversity, longevity, community impact and overcoming adversity. Small/ Large Business of the Year and Nonprofit of the Year awards are also presented.

**Benton County sponsorship history for this event is \$150 in 2023.**

Options

1. Approve sponsorship of the 2025 Samaritan Awards, or
2. Decline to sponsor the 2025 Samaritan Awards

Fiscal Impact?

No

## 2040 THRIVING COMMUNITIES INITIATIVE

Mandated service?

No

Yes

If yes, describe impact:

**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
- Not Applicable

**Explain Core Values Selections**

**Focus Areas and Vision** (select all that apply)

|  |  |
|--|--|
| <input type="checkbox"/> Community Safety<br><input type="checkbox"/> Emergency Preparedness<br><input type="checkbox"/> Outdoor Recreation<br><input type="checkbox"/> Prosperous Economy<br><input type="checkbox"/> Environment and Natural Resources<br><input type="checkbox"/> Mobility and Transportation | <input type="checkbox"/> Housing and Growth<br><input type="checkbox"/> Arts, Entertainment, Culture, and History<br><input type="checkbox"/> Food and Agriculture<br><input type="checkbox"/> Lifelong Learning and Education<br><input checked="" type="checkbox"/> Not Applicable |
|--|--|

**Explain Focus Areas and Vision Selections**

**RECOMMENDATIONS AND MOTIONS**

|                       |  |
|-----------------------|--|
| Staff Recommendations | Staff makes no recommendation and defers to the Board of Commissioners to sponsor or decline to sponsor the 2025 Samaritan awards. |
|-----------------------|--|

|                |                                      |
|----------------|--------------------------------------|
| Meeting Motion | I move to...<br><br>To be determined |
|----------------|--------------------------------------|

**ATTACHMENTS, COMMENTS, AND SUBMISSION**

This checklist and any attachments will be published in the Board Meeting packet.

2025 Samaritan Awards Sponsorship Levels Flyer

# 2025 SPONSOR OPPORTUNITIES



## TITLE SPONSOR - \$500 1 AVAILABLE

- 2 tables at the event with table top recognition
- Thank you at the event
- Recognition in the event program
- Event Poster Recognition
- 4 social media shout outs
- Recognition on Event Page on Chamber Website

## PRESENTING SPONSOR - \$250 2 AVAILABLE

- 1 table at the event with table top recognition
- Thank you at the event
- Recognition in the event program
- 2 social media shout outs
- Recognition on Event Page on Chamber Website

## TABLE SPONSOR - \$150

- Seating for 8 at the event
- Recognition at the event
- Recognition in the event program

## SAMARITAN AWARDS

FEBRUARY 7, 2025

6:00 PM





# AGENDA ITEM CHECKLIST

|                        |  |
|------------------------|--|
| Requested Meeting Date | February 4, 2025   |
| Meeting Type           | <input checked="" type="checkbox"/> Regular Board Meeting<br><input type="checkbox"/> Goal-setting Meeting<br><input type="checkbox"/> Information-sharing Meeting |
| Your Department        | Corvallis-Benton Economic Development Office   |
| Contact Name           | Christopher Jacobs   |
| Phone/Extension        | 541.766.6339   |

## AGENDA ITEM DETAILS

Enter the title of your agenda item here:  
 Resolution No. R2025-003, Establishing a Commercial Property Assessed Clean Energy (CPACE) Program in Benton County

Please check all that apply to your item

- |   |   |
|---|---|
| <input type="checkbox"/> Appointments                     | <input type="checkbox"/> Ordinance/Public Hearing and 1 <sup>st</sup> Reading |
| <input type="checkbox"/> Budget                           | <input type="checkbox"/> Ordinance: 2 <sup>nd</sup> Reading and Adoption      |
| <input type="checkbox"/> Contract/Agreement               | <input type="checkbox"/> Proclamation   |
| <input checked="" type="checkbox"/> Discussion and Action | <input type="checkbox"/> Project/Committee Update                             |
| <input type="checkbox"/> Discussion Only                  | <input type="checkbox"/> Report   |
| <input type="checkbox"/> Order                            | <input type="checkbox"/> Other  |
| <input checked="" type="checkbox"/> Resolution            |   |
| <input type="checkbox"/> Public Hearing                   |   |

|                                    |  |
|------------------------------------|--|
| <b>Board/Committee Involvement</b> | <input type="checkbox"/> No  |
|                                    | <input checked="" type="checkbox"/> Yes<br>If yes, name of Board/Committee: Economic Development Coalition |

|                      |  |
|----------------------|--|
| <b>Advertisement</b> | No                                     |
|                      | If yes, names/dates of publication(s): |



## DESCRIPTION AND FISCAL IMPACT

Describe the item  
(include background,  
history, need,  
importance, benefits,  
requirements, etc.)

The CPACE Program allows owners of eligible commercial property to obtain long-term financing from private capital providers for certain qualified improvements. While the financing is repaid to the Capital Provider, the CPACE Act directs the County to impose a voluntary benefit assessment and record a lien (the "CPACE Lien") on the property. Oregon Revised Statutes (ORS 223.680 and ORS 223.685) authorize local governments to establish property assessed financing programs that help property owners finance energy, water, renewable, and seismic improvements to qualifying real property.

Options

Fiscal Impact?

No

Yes

If yes, describe impact:

The County, as compensation for time and costs incurred in the establishment of the CPACE Program, including the CPACE Ordinance, this Guidebook, and draft documents, as well as for reviewing a Project Application for completeness and executing the Benefit Assessment Agreement, CPACE Lien, and Assignment, is entitled to a fee equal to 1% of the amount financed by the Property Owner, or a minimum of \$2,500 and capped at a total of no more than \$15,000. The Property Owner must pay this fee to the County at the closing of the transaction between the Property Owner and the Capital Provider, and such payment is a condition precedent to recording.

## 2040 THRIVING COMMUNITIES INITIATIVE

Mandated service?

No

Yes

If yes, describe impact:

**Core Values** (select all that apply)

|   |  |
|---|--|
| <input type="checkbox"/> Vibrant, livable Communities         | <input type="checkbox"/> Community Resilience  |
| <input type="checkbox"/> Supportive People Resources          | <input type="checkbox"/> Equity for Everyone   |
| <input type="checkbox"/> High Quality Environment and Access  | <input type="checkbox"/> Health in All Actions |
| <input checked="" type="checkbox"/> Diverse Economy That Fits | <input type="checkbox"/> Not Applicable        |

**Explain Core Values Selections**

**Focus Areas and Vision** (select all that apply)

|   |   |
|---|---|
| <input type="checkbox"/> Community Safety<br><input type="checkbox"/> Emergency Preparedness<br><input type="checkbox"/> Outdoor Recreation<br><input checked="" type="checkbox"/> Prosperous Economy<br><input type="checkbox"/> Environment and Natural Resources<br><input type="checkbox"/> Mobility and Transportation | <input type="checkbox"/> Housing and Growth<br><input type="checkbox"/> Arts, Entertainment, Culture, and History<br><input type="checkbox"/> Food and Agriculture<br><input type="checkbox"/> Lifelong Learning and Education<br><input type="checkbox"/> Not Applicable |
|---|---|

**Explain Focus Areas and Vision Selections**

**RECOMMENDATIONS AND MOTIONS**

Staff Recommendation

Adopt Resolution No. R2025-003, Establishing a Commercial Property Assessed Clean Energy (CPACE) Program in Benton County

**Meeting Motion**

**I move to adopt Resolution No. R2025-003, Establishing a Commercial Property Assessed Clean Energy (CPACE) Program in Benton County.**

**ATTACHMENTS, COMMENTS, AND SUBMISSION**

This checklist and any attachments will be published in the Board Meeting packet.

Comments

Resolution No. R2025-003

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

**A Resolution Establishing a Commercial )  
Property Assessed Clean Energy (“CPACE”) ) RESOLUTION NO. R2025-003  
Program in Benton County )**

WHEREAS, ORS 223.680 and ORS 233.685 authorizes the County to establish a program to assist owners of commercial property with securing the financing of cost-effective energy improvements and seismic rehabilitation improvements, respectively; and

The programs authorized by ORS 223.680 and 233.685 are called Commercial Property Assessed Clean Energy Programs. The CPACE Program supports the financing of energy and water efficiency and renewable energy upgrades and seismic rehabilitation improvements on commercial buildings using a property tax lien; and

Reducing energy and water consumption and improving seismic resiliency through building retrofits will strengthen the County’s economic infrastructure by improving property values, building performance, and marketability of the County’s commercial real estate; and

Benton County is committed to equitably advancing sustainable economic development, and the County will work to ensure communities most in need will benefit from these opportunities; and

In accordance with best practices nationwide, a CPACE program can be successfully implemented in Benton County that minimizes any local administrative burden and cost while ensuring Benton County is protected financially and legally from the authorization of a CPACE program; and

Attached to this Resolution as Exhibit 1 is the Program Guide which, along with sample program documents, shall be part of the CPACE program in Benton County, which may be amended from time to time at the discretion of the County Administrator for Benton County; and

The Program Documents shall allow Property Owners to apply for approval of CPACE benefit assessments on their property to repay financing from third party private capital providers, said benefit assessments to be recorded on title to their property upon approval and closing of financing, with appropriate protections for the County; and

Before establishing a program under this section, Benton County has provided notice to utilities that distribute electric energy, natural gas, or water within the areas in which the local government will operate the program that a CPACE program will be established in accordance with ORS 223.680(3); and

Benton County held a duly noticed public hearing on February 4, 2025 in order to receive input and comment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BENTON COUNTY, OREGON AS FOLLOWS:

Section 1. The CPACE Program in Benton County is hereby established.

Section 2. The County Administrator for Benton County shall oversee development of the CPACE program in accordance with ORS 223.680 and 223.685 and the Program Guide, plus sample program documents and a fee schedule necessary to implement the CPACE program. This oversight shall extend to delegated and outsourced services and management.

Section 3. The County Administrator will consult with the County Recorder, County Assessor, and County Tax Collector as it oversees development and adaptation of the CPACE program.

Section 4. This Resolution shall take effect immediately from and after its adoption.

Adopted this 4<sup>th</sup> day of February, 2025.

BOARD OF COMMISSIONERS  
OF BENTON COUNTY, OREGON

---

Nancy Wyse, Chair

---

Pat Malone, Vice Chair

---

Gabe Shepherd, Commissioner

**EXHIBIT A TO RESOLUTION NO. R2025-003**



**CPACE PROGRAM GUIDEBOOK**

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## I. Introduction

### ABOUT CPACE

Benton County (the “County”) administers a Commercial Property Assessed Clean Energy (“CPACE”) financing program (the “CPACE Program” or the “Program”). The CPACE Program allows owners of eligible commercial property to obtain long-term financing from private capital providers for certain qualified improvements. While the financing is repaid to the Capital Provider, the CPACE Act directs the County to impose a voluntary benefit assessment and record a lien (the “CPACE Lien”) on the property. CPACE financing of more than \$2 billion has been used on thousands of properties in 38 states and the District of Columbia.

The Oregon Statutes (ORS 223.680 and ORS 223.685) authorize local governments to establish property assessed financing programs that help property owners finance energy, water, renewable, and seismic improvements to qualifying real property. The financing is secured with a lien on the benefitted property (Benefit Assessment Lien) with the same priority as a lien for the assessment for local improvements. The local improvement lien is an established mechanism used by municipalities for decades to finance projects that provide a public benefit such as street improvements, water, sewer and street lighting.

Individual cities and counties may now take action to create their own CPACE programs and help buildings become more efficient and resilient. Creating a county CPACE program is simple: first, a city/county adopts a resolution and guidelines that govern how its CPACE program works. Second, since the repayment of the CPACE financing is between a private lender and a property owner, when the lender’s lien against the property is filed, a county only has to review the lien application for compliance with the CPACE state law, and then record a unique agreement that includes the acknowledgment of a special property “benefit assessment” by the city/county.

In Oregon, CPACE financing is available in four categories: energy efficiency, renewable energy, water conservation, and seismic rehabilitation improvements. Improvements that reduce greenhouse gas emissions would qualify, provided that the improvements also conserve energy or result in renewable energy improvements. A voluntary CPACE loan is secured by a senior lien on the property and paid back over time; tax liens and other government assessments remain superior to the CPACE lien. Like other assessments, CPACE financing is non-accelerating, which means only current or past due payments can be collected, while future payments are the responsibility of whomever owns the property at the time. The CPACE repayment obligation transfers automatically to the next owner if the property is sold. In the event of default, only the payments in arrears are due. This arrangement spreads the cost of qualifying improvements – such as energy-efficient HVAC equipment, upgraded insulation, new windows, solar installations, or seismic upgrades – over the useful life of the measures.

The Program exists as a function of Oregon’s CPACE legislation, and the rules established by the County. No change in the Program or in Oregon’s CPACE legislation will affect a property owner’s obligations to pay CPACE assessments incurred under the Program prior to such changes.

### OR-PACE Program Guidebook

This Guidebook was developed to help launch CPACE programs. A major benefit to using a ready-made and legally reviewed program is that it allows counties, property owners, contractors, and capital providers to follow a standard set of rules. This is critical in attracting the broadest capital investment to CPACE projects.

In this document you can find information about:

- Statutory and programmatic eligibility requirements for CPACE properties and projects in Benton County.
- Process for applying for CPACE project approval.

## II. Benefits of CPACE

CPACE offers benefits to building owners, developers, municipalities, mortgage holders, and building professionals.

**For Building Owners and Developers:** One of the biggest barriers to converting potential projects to completed projects for efficiency and seismic upgrades are the up-front cost of the types of measures identified in the statute as qualifying improvements. CPACE financing typically requires little up-front investment, and qualifying improvements improve property value. Energy efficiency measures, in particular, also lower operating costs. In addition, CPACE financing has the following benefits:

- **Up to 100%, long-term financing.** Many owners lack the capital to complete efficiency and seismic improvements. All direct and indirect costs incidental to the qualified improvements can be wrapped into CPACE financing.
- **Transferrable upon sale.** Some owners may want to sell the building before the financing is repaid. The CPACE lien and assessment are attached to the property and transfers to the new owner.
- **Cash flow benefits.** CPACE financing may be repaid over the useful life of the improvements, which because of the long-term financing options can have positive effects on cash flow.
- **Triple-net and Full-net leases may allow pass-through of assessment installments to tenants.** Under triple/full net leases, CPACE payments can be passed along to tenants, who also typically derive benefit from any energy savings through reduced operating costs.

**For Energy Auditors, Architects, Building Engineers, and Contractors:** By allowing a property owner to access 100% up-front financing for longer terms than are typically available for conventional financing, more substantial efficiency and seismic improvements are now more affordable with CPACE. Energy auditors, architects, engineers, and contractors can suggest CPACE financing as a way for their clients to implement needed energy or seismic upgrades that might otherwise be unaffordable. Since the demand for building efficiency and seismic improvements will grow in a CPACE-enabled jurisdiction, CPACE is a powerful business growth catalyst for building professionals like energy auditors and contractors.



**For Cities/Counties:** CPACE is an economic development tool. By making it more affordable for building owners to make major improvements to their buildings, local building stock value is enhanced, and more jobs are created. Energy, water, and seismic upgrades create a more competitive environment for retaining and attracting new businesses by lowering energy costs and improving the structural soundness of buildings. Upgraded buildings can generate higher property tax payments for the city/county. Energy upgrades also typically reduce greenhouse gases and other pollutants, which facilitates adherence to city, county, or state climate action plans or goals.

**For Existing Lien Holders:** CPACE improvements can enhance property value and typically improve a building's longevity, thereby reducing the risk of property value decline over time. In addition, CPACE financing is non-accelerating, meaning only current or past due annual payments can be collected each year while future payments stay with the property. As such, existing mortgage holders see their collateral improved without substantial increase in credit risk and with only a modest impact on lien priority. CPACE financing is not permitted without the consent of all existing lien holders and, under certain circumstances, the holders of certain other obligations encumbering commercial residential property.

### **III. CPACE Financing Program Rules**

The purpose of this Program Guidebook is to provide standard guidelines to use in establishing efficient and effective CPACE programs that are consistent from across Oregon State.

This Program Guidebook (the "Guidebook") is prepared as required by the CPACE Act, at the direction of the Benton County Board of County Commissioners, and is approved in connection with, and as an attachment to, the CPACE Resolution, Resolution No 2025-003. Capitalized terms used herein, but not defined herein, have the meaning given to such terms in the CPACE Ordinance, Ordinance 2025-0303.

The Guidebook establishes guidelines, eligibility, approval criteria, and an application form for the administration of the CPACE Program for the County. The CPACE Program enables financing for commercial property owners ("Property Owners") to make certain energy efficiency, renewable energy, water conservation, and seismic rehabilitation improvements (each, a "Qualified Improvement") as described in the CPACE Act and further clarified in this Guidebook. Qualified Improvements, including all eligible costs that are to be financed as described in a project application (the "Project Application") approved by the Program, constitute a "Qualified Project." Property Owners may receive funding for their Qualified Improvements only from qualified private investors ("Capital Providers") pursuant to a separate Financing Agreement negotiated between the Property Owner and Capital Provider (a "Financing Agreement").

In the following numbered subsections, a reader can find information about:

- Statutory and programmatic eligibility requirements for CPACE project financing in Oregon State; and,

- The appropriate steps and forms needed for Benton County to receive and process a CPACE project lien application.

### **1. Establishment of CPACE Program Boundaries**

Benton County adopted Resolution No 2025-003 on 02/04/2025 and Ordinance 2025-0303 on 02/04/2025, establishing the CPACE Program for all eligible commercial properties within the boundaries of the Benton County, including both incorporated and unincorporated territory (the “Region”).

### **2. Administration of Program; Authorized Officials**

The County Administrator’s Office is designated and authorized to review each Project Application to confirm that it is complete and contains no errors on its face. The County Administrator may designate this responsibility at their sole discretion. The County Administrator’s Office or designee will then execute the Benefit Assessment Agreement and CPACE Lien documents on behalf of the County and record them with the real property records.

As part of Program operation, the County Administrator’s Office or designee will:

- Accept Project Applications (see Attachment A, Application) from Property Owners and Capital Providers for prospective CPACE projects.
- Review the Project Application to determine conformance with the Application Checklist (See Attachment B).
- Approve/conditionally approve/disapprove the Project Application and communicate to applicant.
- Execute the CPACE Notice of Benefit Assessment and CPACE Lien.
- Record the Notice of Assessment Interest and Assignment.

### **3. Eligibility Requirements**

Eligible Property means any privately-owned commercial, industrial, agricultural, or multi-family real property of five (5) or more dwelling units located within the boundaries of the Region (including properties owned by a not-for-profit organization).

Ground leases on Eligible Property are permitted, so long as all requirements of the CPACE Ordinance are met, including requiring the Property Owner to enter into a Benefit Assessment Agreement. On ground- leased property, therefore, the assessment and CPACE Lien encumber the fee interest in the property, not the ground leasehold.

Property Owner means an owner of qualifying eligible property, which is the record owner of title to the Eligible Property. The Property Owner may be any type of business, corporation, individual, or non-profit organization.

Qualified Improvements means a permanent improvement affixed to the real property that must meet at least one of these criteria:

- Decrease energy consumption or demand through the use of efficiency technologies, products, or activities that reduce or support the reduction of energy consumption or allow for the reduction in demand or reduce greenhouse gas emissions (“Energy Efficiency Improvement”);
- Support the production of clean, renewable energy, including but not limited to a product, device, or interacting group of products or devices on the customer's side of the meter that generates electricity, provides thermal energy, or regulates temperature (“Renewable Energy Improvement”);
- Decrease water consumption or demand and address safe drinking water through the use of efficiency technologies, products, or activities that reduce or support the reduction of water consumption, allow for the reduction in demand, or reduce or eliminate lead from water which may be used for drinking or cooking (“Water Conservation Improvement”); or
- Increase seismic safety through rehabilitation improvements (“Seismic Improvement”).

Qualified Projects include the following:

- The acquisition, construction (including new construction), lease, installation, or modification of a Qualified Improvement permanently affixed to an Eligible Property.
- For Renewable Energy Improvements, “permanently affixed” includes Qualified Projects that are subject to a power purchase agreement or lease between the Property Owner/applicant and the owner of the subject renewable energy system, if the power purchase agreement or lease contains all of the following provisions:
  - a) The Renewable Energy Improvement relates to a Renewable Resource, which includes: (a) water; (b) wind; (c) solar energy; (d) geothermal energy; (e) bioenergy from biomass (like manure or wood products) or biogas (like methane); (f) renewable hydrogen; (g) wave, ocean, or tidal power; (h) Alternative fuels such as ethanol, biodiesel, renewable diesel.
  - b) The term of the power purchase agreement or lease is at least as long as the term of the related Benefit Assessment Agreement.
  - c) The owner of the Renewable Energy Improvement agrees to install, maintain, and monitor the system for the entire term of the Benefit Assessment Agreement.
  - d) Neither the owner of the Renewable Energy Improvement, nor the Property Owner, nor any successors in interest are permitted to remove the system prior to completion of the full repayment of the CPACE Lien.
  - e) After installation, the power purchase agreement or lease is paid, either partially or in full, using the funds from the CPACE financing.
  - f) The power purchase agreement or lease specifies the holder of the CPACE Lien is a third- party beneficiary of the power purchase agreement or lease

until the CPACE Lien has been fully repaid.

- Qualified Projects include the refinancing of existing properties that have had Qualified Improvements installed and completed for no more than three (3) years prior to the date of Project Application.

Qualifying Capital Provider may be any of the following:

- a corporation, partnership, or other legal entity that provides proof that it is currently registered as a CPACE Capital Provider in two different states with CPACE programs;
- a federal or state-chartered bank or credit union; or
- a private entity, whose principal place of business is located in the state of Oregon, provided it is licensed or permitted to do business within the state and can produce its most recent audited financial statement or regulatory business filing.

Qualifying costs that can be CPACE financed include:

- Materials and labor necessary for installation or modification of a Qualified Improvement;
- Permit fees;
- Inspection fees;
- Financing or origination fees;
- Program application and administrative fees;
- Project development, architectural, and engineering fees;
- Third-party review fees, including verification review fees;
- Capitalized interest;
- Interest reserves;
- Escrow for prepaid property taxes and insurance;
- Any other fees or costs that may be incurred by the Property Owner incident to the installation, modification, or improvement on a specific or pro rata basis.
- See also the definition of Total Eligible Construction Costs in Section 5(5)(D).

#### **4. Application Process**

The Program Guide reduces the administrative burden on participating cities and counties as much as possible. Thus, the County Administrator's Office or designee will review the Project Application Checklist for proof of compliance with the requirements of the statute that are necessary for the County to approve the application and execute the applicable documents for the proposed CPACE transaction. All applicants are encouraged to review the Project Application Checklist accompanying the Application to ensure that the types of information that the County will rely upon to verify compliance with the statute are present in the completed Application.

The process of obtaining financing under the Program starts when a Property Owner approaches a Capital Provider. The Capital Provider will work with the Property Owner to collect a number of diligence items. Once all the items have been received, reviewed, and approved by the Capital Provider, the parties should settle on the loan terms.

The general flow of the CPACE application process will be as follows:

(1) The Property Owner and the Capital Provider prepare the Project Application, consisting of Project Application, Project Application Checklist, and all supporting documents (described below). Applicants are encouraged to review the Project Application Checklist accompanying the Project Application to ensure that the types of information that the County will rely upon to verify compliance with the CPACE Act and CPACE Ordinance are present in the completed Project Application.

(2) The County Administrator's Office or designee will have 10 business days (not including the day the application was submitted) to review and approve, conditionally approval, or disapprove of the Project Application. If the office has received an unusually high number of applications, or if review is delayed because of some force majeure event, the office may notify the applicant that the application review and approval will be delayed by no more than 10 additional business days.

(3) The County application review process is confined to confirming that the Project Application is complete and all attachments conform to these guidelines. ***County approval does not constitute endorsement of any representations that may be made with regard to the operation and any savings associated with the Qualified Improvements. All risk and liability is borne by the property owner and capital provider.*** The County Administrator's Office or designee will review the Project Application for proof of compliance with the requirements of the CPACE Act and CPACE Ordinance that are necessary for the County to approve the Project Application and execute the applicable documents for the proposed CPACE transaction. Incomplete Project Applications will be returned to the applicant, and the County Administrator's Office or designee will notify the applicant about which items from the Project Application Checklist were not provided or are insufficient or inaccurate on their face. If the Project Application and supporting documents comply with the Project Application Checklist, the Project Application will be approved, and the approval communicated in writing to the applicant.

(4) The Project Application may be conditionally approved if the application is complete but the attachment regarding lender consent is not yet available. Conditional approval will be treated the same as an approval, with exceptions noted below.

(5) Upon receipt of approval, the Capital Provider will pay the CPACE program fee equal to 1% of the amount financed by the Property Owner, or a minimum of \$2,500 and capped at a total of no more than \$15,000 to the County Administrative Services department.

(6) Upon receipt of payment the County will draft the following "Closing Document": The Notice of Benefit Assessment and CPACE Lien document. At or before closing, at the request of the applicant, the designated and authorized official will execute closing documents.

(7) If the Project Application received conditional approval, the Closing Documents executed by the County may not be released from escrow unless and until all contingencies (including lender consents) have been received and executed in accordance with the Program Guide.

(8) At closing, the County will record the Notice of Benefit and CPACE Lien document in the Office of the Recorder for the County.

(9) Upon confirmation of recordation, the Capital Provider will disburse funds in accordance with the Financing Agreement.

## 5. Application Documents

The Project Application must be submitted with the following documents appended:

- Project Application Checklist (form attached)
  - Certificate of Capital Provider Qualification
  - Certificate of Qualified Improvements
  - Notice of Benefit Assessment and CPACE Lien
- (1) For Renewable Energy Improvements or Energy Efficiency Improvements on an existing building: A certification stating that (a) the proposed Qualified Improvements will either result in more efficient use or conservation of energy or water, the reduction of greenhouse gas emissions, or the addition of renewable sources of energy or water; or (b) the subject property as a whole prior to the installation of the Qualified Improvements does not conform to the meeting the current building energy or water code for the City/county, but will do so after the Qualified Improvements are installed. The certification must be performed by a licensed professional engineer or accredited individual or firm from the following list:
- American Society of Heating, Refrigeration, and Air-Conditioning Engineers (ASHRAE)
    - Building Energy Assessment Professional (BEAP)
    - Building Energy Modeling Professional (BEMP)
    - Operations & Performance Management Professional Certification (OPMP)
    - High-Performance Building Design Professional Certification (HBDP)
  - Association of Energy Engineers (AEE)
    - Certified Energy Manager (CEM)
    - Certified Measurement and Verification Professional (CMVP)
    - Certified Energy Auditor (CEA)
  - Building Performance Institute
    - Energy Auditor
  - Investor Confidence Project
    - ICP Quality Assurance Assessor

Other professional entities may be accepted by the County Administrator’s Office at its discretion.

- (2) For Renewable Energy Improvements that are solar photovoltaics, a North American Board of Certified Energy Practitioners (NABCEP) PV design specialist certification is acceptable, or a licensed Electrical Engineer, Building Energy Assessment Professional (BEAP), Building Energy Modeling Professional (BEMP), Certified Energy Manager (CEM), Certified Measurement and Verification Professional (CMVP), or Certified Energy Auditor (CEA). Other professional entities may be accepted by the County Administrator’s Office at its discretion.
- (3) For Seismic Improvements on an existing building: A Tier 1 and Tier 2 building performance report that conforms to American Society of Civil Engineers and the Structural Engineering Institute 41 - Basic Performance Objectives for Existing Buildings (unless a Tier 3 evaluation is required by ASCE 41) is required on all Seismic Rehabilitation Improvement projects. All ASCE 41 evaluation must be performed by a State licensed structural engineer. The evaluation must justify the cost measures included in the Application as cost-effective.
- (4) For New Construction:
  - (A) Relating to energy or water efficiency, certification by a licensed professional engineer stating that each proposed Qualified Improvement will enable the subject property to exceed the applicable energy efficiency, water efficiency, or renewable energy code requirements. If the building as a whole performs above code, all energy and water-related improvements are eligible for financing; or, alternatively, 30% of the Total Eligible Construction Costs qualify for CPACE financing.
  - (B) “Total Eligible Construction Costs” or “TECC” means all direct and indirect costs of materials, labor, and soft costs related to the design, installation, and construction of the new structure. Soft costs may include, for example, architecture and engineering fees, energy modeling costs, surveys, and development fees and financing costs. Costs that are excluded from TECC include the costs of land acquisition, off-site improvements, site permitting, environmental testing and remediation, and equipment not permanently installed on the property.
- (5) Term of Benefit Assessment:

For all Qualified Improvements, the licensed engineer, individual or firm providing the certification of eligibility of the Qualified Improvements must attest that the proposed term of the financing does not exceed the weighted average effective useful life of the proposed Qualified Improvements and that the Qualified Improvements are permanently affixed, as described in this Guidebook.

## 6. Closing Document

The following document requires the signature of the County and shall be part of the

closing of any CPACE transaction.

- Notice of Benefit Assessment and CPACE Lien (Form attached)

### **7. Interest Rates**

Interest rates are negotiated in a Financing Agreement between the Property Owner and the Capital Provider. The County has no role in reviewing, setting, or opining on such interest rates or other aspects of the Financing Agreement. Market forces – such as competition, the intended use of the property, potential risk –will affect the terms negotiated by the Property Owners and Capital Providers.

### **8. Billing and Collection of Assessments**

Billing, collection and enforcement of delinquent CPACE Liens or CPACE financing installment payments, including foreclosure, remain the responsibility of the Capital Provider, and the terms are negotiated within the Financing Agreement.

### **9. Enforcement of CPACE Lien**

At the Capital Provider’s discretion, a delinquent account can be referred to the County for enforcement through the Local Improvement District collection process outlined in ORS 223.505 to 223.650. The County is entitled to recover its costs during the enforcement proceeding. Further details are in the Capital Provider agreement in the Program Documents.

### **10. Program Fee**

The County, as compensation for time and costs incurred in the establishment of the CPACE Program, including the CPACE Ordinance, this Guidebook, the draft documents, as well as for reviewing a Project Application for completeness and executing the Benefit Assessment Agreement, CPACE Lien, and Assignment, is entitled to a fee equal to 1% of the amount financed by the Property Owner, or a minimum of \$2,500 and capped at a total of no more than \$15,000. The Property Owner must pay this fee to the County at the closing of the transaction between the Property Owner and the Capital Provider, and such payment is a condition precedent to recording. Additionally, this fee floor and fee ceiling shall annually increase based on the consumer price index.

### **11. Term of a Benefit Assessment; Calculation of Useful Life of Qualified Improvements**

The maximum term of a Benefit Assessment may not exceed the useful life of the Qualified Improvement or weighted average life if more than one Qualified Improvement is included in the Qualified Project.



## **12. Form of Closing Documents**

The Program has adopted form Closing Document: Notice of Benefit Assessment and CPACE Lien. A Property Owner and Capital Provider may adapt the form to the needs of their particular transaction but must not modify or omit any material substantive terms contained in the form.

## **13. Written Consent from Lienholder(s) Required**

Before entering into a Benefit Assessment Agreement with the County, and pursuant to Oregon Statutes 223.680(6)(a) and (b) and 223.685(5)(a) and (b), the Capital Provider must obtain, and the Project Applications must show proof of notice and written consent for the placement of the assessment and CPACE Lien from any holder of a lien, mortgage, or security interest in the real property.

If the consents are executed at closing, the signatures of the County to the Closing Documents will be held in escrow and will not be released until the consents are obtained. After closing, at the election of the County Administrator's Office, an amended Project Application with the consents attached must be sent to the County Administrator's Office. Capital Providers are responsible for providing their own form of consent that conforms to the CPACE Ordinance and CPACE Act.

## **14. Provisions for Marketing and Participant Education**

This Guidebook will be made available to the public on the County's website. It is determined that there is no need for marketing and participant education at this time. It is presumed that Property Owners and Capital Providers understand the principles and processes associated with CPACE financing and will look to the Guidebook for understanding and clarification of the County CPACE program.

## **15. County Has No Liability or Financial Responsibility**

As detailed in the Benefit Assessment and Assignment Agreements, neither the County, its governing body, executives, nor employees are personally liable as a result of exercising any rights or responsibilities granted under this program. The County shall not pledge, offer, or encumber its full faith and credit for any lien amount under the CPACE program. No public funds may be used to repay any CPACE financing obligation.

### **PROGRAM DOCUMENTS**

- CPACE Application
- CPACE Application Checklist
- Certificate of Capital Provider Qualification
- Certificate of Qualified Improvement
- CPACE Notice of Benefit Assessment and CPACE Lien



# AGENDA ITEM CHECKLIST

|                        |  |
|------------------------|--|
| Requested Meeting Date | February 4, 2025   |
| Meeting Type           | <input checked="" type="checkbox"/> Regular Board Meeting<br><input type="checkbox"/> Goal-setting Meeting<br><input type="checkbox"/> Information-sharing Meeting |
| Your Department        | Corvallis-Benton Economic Development Office   |
| Contact Name           | Christopher Jacobs   |
| Phone/Extension        | 541.766.6339   |

## AGENDA ITEM DETAILS

Enter the title of your agenda item here:

Resolution No. R2025-002, Revising Land Use and Planning Division Fees for the Services Provided by the Community Development Department

Please check all that apply to your item

- |   |   |
|---|---|
| <input type="checkbox"/> Appointments                     | <input type="checkbox"/> Ordinance/Public Hearing and 1 <sup>st</sup> Reading |
| <input type="checkbox"/> Budget                           | <input type="checkbox"/> Ordinance: 2 <sup>nd</sup> Reading and Adoption      |
| <input type="checkbox"/> Contract/Agreement               | <input type="checkbox"/> Proclamation   |
| <input checked="" type="checkbox"/> Discussion and Action | <input type="checkbox"/> Project/Committee Update                             |
| <input type="checkbox"/> Discussion Only                  | <input type="checkbox"/> Report   |
| <input type="checkbox"/> Order                            | <input type="checkbox"/> Other  |
| <input checked="" type="checkbox"/> Resolution            |   |
| <input type="checkbox"/> Public Hearing                   |   |

|                                    |  |
|------------------------------------|--|
| <b>Board/Committee Involvement</b> | <input type="checkbox"/> No  |
|                                    | <input checked="" type="checkbox"/> Yes<br>If yes, name of Board/Committee: Economic Development Coalition |

|                      |  |
|----------------------|--|
| <b>Advertisement</b> | No                                     |
|                      | If yes, names/dates of publication(s): |

## DESCRIPTION AND FISCAL IMPACT

Describe the item  
(include background,  
history, need,  
importance, benefits,  
requirements, etc.)

Resolution No. R2025-002 would revise the land use and Planning Division fees for services provided by the Community Development Department to include a CPACE Base Planning Application Fee of 1% of the total financed by the property owner, or a minimum of \$2,500 and capped at a total of no more than \$15,000.

This fee floor and fee ceiling shall annually increase based on the Consumer Price Index.

Options

1. Adopt Resolution No. R2025-002
2. Decline to adopt Resolution No. R2025-002

Fiscal Impact?

- No  
 Yes

If yes, describe impact:

The County, as compensation for time and costs incurred in the establishment of the CPACE Program, including the CPACE Ordinance, this Guidebook, and draft documents, as well as for reviewing a Project Application for completeness and executing the Benefit Assessment Agreement, CPACE Lien, and Assignment, is entitled to a fee equal to 1% of the amount financed by the Property Owner, or a minimum of \$2,500 and capped at a total of no more than \$15,000. The Property Owner must pay this fee to the County at the closing of the transaction between the Property Owner and the Capital Provider, and such payment is a condition precedent to recording.

## 2040 THRIVING COMMUNITIES INITIATIVE

Mandated service?

- No  
 Yes

If yes, describe impact:

**Core Values** (select all that apply)

- |   |  |
|---|--|
| <input type="checkbox"/> Vibrant, livable Communities         | <input type="checkbox"/> Community Resilience  |
| <input type="checkbox"/> Supportive People Resources          | <input type="checkbox"/> Equity for Everyone   |
| <input type="checkbox"/> High Quality Environment and Access  | <input type="checkbox"/> Health in All Actions |
| <input checked="" type="checkbox"/> Diverse Economy That Fits | <input type="checkbox"/> Not Applicable        |

**Explain Core Values Selections**

**Focus Areas and Vision** (select all that apply)

|   |   |
|---|---|
| <input type="checkbox"/> Community Safety<br><input type="checkbox"/> Emergency Preparedness<br><input type="checkbox"/> Outdoor Recreation<br><input checked="" type="checkbox"/> Prosperous Economy<br><input type="checkbox"/> Environment and Natural Resources<br><input type="checkbox"/> Mobility and Transportation | <input type="checkbox"/> Housing and Growth<br><input type="checkbox"/> Arts, Entertainment, Culture, and History<br><input type="checkbox"/> Food and Agriculture<br><input type="checkbox"/> Lifelong Learning and Education<br><input type="checkbox"/> Not Applicable |
|---|---|

**Explain Focus Areas and Vision Selections**

**RECOMMENDATIONS AND MOTIONS**

Staff  
Recommendation

Adopt Resolution No. R2025-002, Revising Land Use and Planning Division Fees for the services provided by the Community Development Department.

**Meeting  
Motion**

**I move to adopt Resolution No. R2025-002, Revising Land Use and Planning Division Fees for the services provided by the Community Development Department.**

**ATTACHMENTS, COMMENTS, AND SUBMISSION**

This checklist and any attachments will be published in the Board Meeting packet.

Resolution No. R2025-002

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

**In the Matter of Revising Land Use and                    )**  
**Planning Division Fees for Services Provided        )**       **RESOLUTION NO. R2025-002**  
**By the Community Development Department         )**

IT APPEARING TO THE BOARD THAT,

The Benton County Board of Commissioners has the authority to establish land use fees under Oregon Revised Statutes (ORS) 215.416: and

ORS Chapters 92, 198, 203, 205, 209, and 368 authorize Benton County to establish fees for County land use and Planning Division services; and

The last time the fees for County land use and Planning Division services were modified was in 2024.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Community Development Land Use and Planning Division fee schedule, as shown on Attachment A, be approved effective March 1, 2025.

Adopted this 4<sup>th</sup> day of February, 2025.

BENTON COUNTY BOARD  
OF COMMISSIONERS

\_\_\_\_\_  
Nancy Wyse, Chair

\_\_\_\_\_  
Pat Malone, Vice Chair

\_\_\_\_\_  
Gabe Shepherd, Commissioner

**ATTACHMENT A -  
LAND USE/PLANNING APPLICATION FEES**

| <i>FEE DESCRIPTION</i>   | <i>2024</i>   | <i>2025</i>   | <i>Planning<br/>Per Parcel<br/>Fee<br/>[2025]</i> | <i>Deposit<br/>(variable<br/>by App<br/>Type)<br/>[2025]</i> | <i>REASON FOR CHANGE /<br/>RECOMMENDATION [2025]</i>                 |
|--|---|---|---|--|--|
|  | <i>Base<br/>Planning<br/>Application<br/>Fee<br/>[2024]</i> | <i>Base<br/>Planning<br/>Application<br/>Fee<br/>[2025]</i> |   |  |  |
| <b>DOCUMENT FEES</b>   | <i>Variable</i>   | <i>Variable</i>   | <i>Variable</i>                                   |  |  |
| Recording of Docs (non-covenants) prepared by applicant                            | --  | --  | --  |  | <i>No change - actual cost</i>                                       |
| Preparation and recording of covenants and other legal documents                   | \$ 90   | \$ 95   | --  |  | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| <b>PERMIT REVIEW AND RELATED ACTIONS</b>   |   |   |   |  |  |
| Code Enforcement   | <i>Actual Cost</i>  | <i>Actual Cost</i>  | --  |  | <i>No change - actual cost</i>                                       |
| Erosion & Sediment Control Permit  | \$ 110  | \$ 115  | --  |  | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Floodplain Development Permit (all development activities in a floodplain)         | \$ 60   | \$ 65   | --  |  | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Floodplain Review of Structural Building Permit or Manufactured Home Placement     | \$ 480  | \$ 495  | --  |  | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Permit Zoning Compliance Review:   | --  | --  | --  |  | --   |
| <i>Demolition Permit Add-on: Dwellings in Resource Zones (EFU/MPA/FC)</i>          | \$ 231  | \$ 240  | --  |  | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| <i>Demolition Permit (dwellings in non-resource zones, other structures in any</i> | \$ 69   | \$ 75   | --  |  | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |

|   |        |        |    |   |
|---|--------|--------|----|---|
| zone)   |        |        |    |   |
| Structural, Mobile Home Placement, Change of Use/Occupancy, Recreational Vehicle (RV) Placement Permits | \$ 110 | \$ 115 | -- | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Agricultural Exemption  | \$ 142 | \$ 145 | -- | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Water Reviews (well water quality and pump tests)   | \$ 69  | \$ 75  | -- | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Septic Reviews (Full review: Feasibility, Alteration, Authorization)                                    | \$ 131 | \$ 135 | -- | Applied 2.1% increase and rounded up to nearest \$5 increment |

**ATTACHMENT A -  
LAND USE/PLANNING APPLICATION FEES**

| FEE DESCRIPTION  | 2024                                 | 2025                                 | Planning Per Parcel Fee [2025] | Deposit (variable by App Type) [2025] | REASON FOR CHANGE / RECOMMENDATION [2025]                     |
|--|--------------------------------------|--------------------------------------|--------------------------------|---------------------------------------|---|
|  | Base Planning Application Fee [2024] | Base Planning Application Fee [2025] |                                |                                       |   |
| Septic Review (Partial review: Installation)             | \$ 67                                | \$ 70                                | --                             | --                                    | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Recreational Vehicle (RV) Placement Land Use Application | \$ 110                               | \$ 115                               | --                             | --                                    | Applied 2.1% increase and rounded up to nearest \$5 increment |
| <b>DWELLINGS ON RESOURCE LAND</b>                        |                                      |                                      |                                |                                       |   |

|  |                    |                    |                   |   |
|--|--------------------|--------------------|-------------------|---|
| Dwelling - EFU/MPA Accessory Farm-related              | \$ 1,271           | \$ 1,300           | --                | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Dwelling - EFU/MPA Farm Related - 160 acres or more    | \$ 370             | \$ 380             | --                | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Dwelling - EFU/MPA Farm-help for a Relative            | \$ 551             | \$ 565             | --                | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Dwelling - EFU/MPA Income Test on less than 160 acres  | \$ 1,124           | \$ 1,150           | --                | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Dwelling - EFU/MPA Lot of Record: Non-High value soils | \$ 1,323           | \$ 1,355           | --                | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Dwelling - EFU/MPA Lot of Record: High value soils     | \$ 2,168           | \$ 2,215           | --                | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Dwelling - EFU/MPA Non-farm: West of coast range       | \$ 2,042           | \$ 2,090           | --                | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Dwelling - EFU/MPA Non-farm: East of coast range       | <i>Actual Cost</i> | <i>Actual Cost</i> | \$ 4,000          | No change - actual cost (no change in deposit)                |
| Dwelling - FC 160 acres or more                        | \$ 609             | \$ 625             | --                | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Dwelling - FC Lot of Record Forest Dwelling            | \$ 1,323           | \$ 1,355           | --                | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Dwelling - FC Template Test Dwelling                   | \$ 2,226           | \$ 2,275           | to nearest \$5 -- | Applied 2.1% increase and rounded up to nearest \$5 increment |

**ATTACHMENT A -  
LAND USE/PLANNING APPLICATION FEES**



| FEE DESCRIPTION  | 2024                                   | 2025                                   | Planning<br>Per Parcel<br>Fee<br><br>[2025] | Deposit<br>(variable<br>by App<br>Type)<br><br>[2025] | REASON FOR CHANGE /   |
|--|--|--|---|---|---|
|  | Base<br>Planning<br>Application<br>Fee | Base<br>Planning<br>Application<br>Fee |   |   | RECOMMENDATION [2025]   |
|  | [2024]                                 | [2025]                                 |   |   |   |
| <b>PROPERTY LINE ADJUSTMENTS &amp; LAND DIVISIONS</b>  |  |  |   |   |   |
| Consolidation (if plat required, add plat fee provided under PLAs)   | \$ 399                                 | \$ 410                                 |   | --  | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Well Test Notification (Base Fee incl 4hrs; add'l time charged at staff hourly rate below)                   | <i>Actual Cost</i>                     | <i>Actual Cost</i>                     |   | \$ 525  | No change - actual cost (no change in deposit)                |
| Land Division inside Corvallis UGB (add to partition & subdivision fees)                                     | \$ 614                                 | \$ 630                                 |   | --  | Applied 2.1% increase and rounded up to nearest \$5 increment |
| <b>Partition - EFU/MPA/FC zones only, no dwellings involved, both parcels would meet minimum parcel size</b> | \$ 793                                 | \$ 810                                 | \$ 215                                      | --  | Applied 2.1% increase and rounded up to nearest \$5 increment |
| <b>Partition - All other, except Series Partitions, OUTSIDE Corvallis UGB</b>                                | \$ 731                                 | \$ 750                                 | \$ 215                                      | --  | Applied 2.1% increase and rounded up to nearest \$5 increment |
| <b>Partition - All other, except Series Partitions, INSIDE Corvallis UGB</b>                                 | \$ 1,346                               | \$ 1,375                               | \$ 215                                      | --  | Applied 2.1% increase and rounded up to nearest \$5 increment |

|  |          |          |                   |  |
|--|----------|----------|-------------------|--|
| <b>Partition - Series Partition, Preliminary Plat Approval</b>               | \$ 1,739 | \$ 1,780 | \$ 215 --         | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| <b>Partition - Series Partition, Final Plat Approval</b>                     | --       | --       | --                | <i>No base planning fee</i>  |
| <b>Property Line Adjustment (between two properties), Ministerial Review</b> | \$ 1,023 | \$ 1,045 | nearest \$5 --    | <i>Applied 2.1% increase and rounded up to -- increment</i>          |
| <i>if Survey, add PW Surveyor Review fee</i>                                 | \$ 1,023 | \$ 1,045 | nearest \$5 -- -- | <i>Applied 2.1% increase and rounded up to increment</i>             |

**ATTACHMENT A -  
LAND USE/PLANNING APPLICATION FEES**

| <b>FEE DESCRIPTION</b>   | <b>2024</b>                                    | <b>2025</b>                                    | <b>REASON FOR CHANGE / RECOMMENDATION [2025]</b>         |  |
|--|--|--|--|--|
|  | <i>Base Planning Application Fee</i><br>[2024] | <i>Base Planning Application Fee</i><br>[2025] | <i>Deposit Planning by Per Parcel Fee Type</i><br>[2025] | <i>(variable App</i><br>[2025]                                       |
| <i>if Plat, add PW Surveyor fee of \$415 plus \$120/parcel; Assessment fee of \$250 plus \$30/parcel; and Records Fee of \$93. (Do not</i> | \$ 1,023                                       | \$ 1,045                                       | -- --  | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| <b>Property Line Adjustment (between two properties), Quasi-Judicial Review</b>  | \$ 1,259                                       | \$ 1,290                                       | --   | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| <i>if Survey, add PW Surveyor Review fee</i>   | --   | --   | --   | --   |

|  |          |                            |        |   |
|--|----------|----------------------------|--------|---|
| <i>if Plat, add PW Surveyor fee of \$415 plus \$120/parcel; Assessment fee of \$250 plus \$30/parcel; and Records Fee of \$93. (Do not include \$115 engineer review fee for partitions)</i> | --       | --                         | --     | --  |
| <b>Additional Property Line Adjustment Applications reviewed concurrently</b>  |          | <i>50% of planning fee</i> |        | <i>**Corrected: No fee change, but corrected in spreadsheet to indicate "50% of planning fee" as previously shown</i> |
| <b>Subdivision</b>   |          |                            | --     | --  |
| <i>Subdivision Application fee plus \$260/lot; PW Surveyor plat review fee of \$1,425, plus \$125/lot Pre-Monumented</i>   | \$ 3,371 | \$ 3,445                   | \$ 260 | --  |
|  |          |                            |        | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i>  |
| <i>Subdivision Application fee plus \$260/lot; PW Surveyor plat review fee of \$2,005, plus \$125/lot</i>  | \$ 3,371 | \$ 3,445                   | \$ 260 | --  |
|  |          |                            |        | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i>  |

**ATTACHMENT A -  
LAND USE/PLANNING APPLICATION FEES**

| <i>FEE DESCRIPTION</i> | <i>2024</i>   | <i>2025</i>   | <i>Planning Per Parcel Fee</i> | <i>Deposit (variable by App Type)</i> | <i>REASON FOR CHANGE / RECOMMENDATION [2025]</i> |
|------------------------|---------------|---------------|--------------------------------|---------------------------------------|--|
|                        | <i>[2024]</i> | <i>[2025]</i> | <i>[2025]</i>                  | <i>[2025]</i>                         |  |

| <b>OTHER LAND USE APPLICATIONS</b>   |                    |                    |    |       |  |
|--|--------------------|--------------------|----|-------|--|
| Administrative Review  | \$ 646             | \$ 660             | -- |       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Agritourism: Single-event license, per ORS 215.283(4)(b)                       | \$ 399             | \$ 410             | -- |       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Agritourism: Single event/activity, per ORS 215.283(4)(a)                      | \$ 1,418           | \$ 1,450           | -- |       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Agritourism: Limited use permit, up to 6 events/activities, per ORS 215.283(4) | \$ 2,011           | \$ 2,055           | -- |       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Agritourism: Events permit, up to 18 events/activities, per ORS 215.283(4)(d)  | \$ 2,326           | \$ 2,375           | -- |       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Conditional Use: Staff Decision or Greenway                                    | \$ 1,418           | \$ 1,450           | -- |       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Conditional Use: Planning Commission Hearing                                   | \$ 2,048           | \$ 2,095           | -- |       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Create a Tax Lot/Deed Release  | \$ 184             | \$ 190             | -- |       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Floodplain, Land Development Activities (large projects)                       | \$ 600             | \$ 615             | -- |       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Floodplain Minor Variance  | \$ 368             | \$ 380             | -- |       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Home Occupation, excluding Exclusive Farm Use or Forest Conservation zones     | \$ 399             | \$ 410             | -- |       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Hydrogeologic Proposal and Study - Review                                      | <i>Actual Cost</i> | <i>Actual Cost</i> | \$ | 1,500 | <i>No change - actual cost (no change in deposit)</i>                |

|                                  |        |        |    |  |
|----------------------------------|--------|--------|----|--|
| Interpretations of Code, Written | \$ 782 | \$ 800 | -- | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
|----------------------------------|--------|--------|----|--|

**ATTACHMENT A -  
LAND USE/PLANNING APPLICATION FEES**

| <i>FEE DESCRIPTION</i>  | <i>2024<br/>Base<br/>Planning<br/>Application<br/>Fee<br/>[2024]</i> | <i>2025<br/>Base<br/>Planning<br/>Application<br/>Fee<br/>[2025]</i> | <i>Planning<br/>Per Parcel<br/>Fee<br/>[2025]</i> | <i>Deposit<br/>(variable<br/>by App<br/>Type)<br/>[2025]</i> | <i>REASON FOR CHANGE /<br/>RECOMMENDATION [2025]</i>                 |
|---|--|--|---|--|--|
| Land Use application, including Conditional Use Permit, in Landfill Site (LS) Zone - Planning Commission Decision or Staff Decision | <i>Actual Cost</i>   | <i>Actual Cost</i>   |   | \$ 10,00   | <i>No change - actual cost (no change in deposit)</i>                |
| Medical Hardship in Resource Zone (Exclusive Farm Use or Forest Conservation), <i>Conditional Use Permit required</i>               | \$ 688   | \$ 705   |   | --   | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Medical Hardship in Non-Resource Zone   | \$ 515   | \$ 530   |   | --   | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Medical Hardship (Transfer of/Addition to existing medical hardship approval)   | \$ 301   | \$ 310   |   | --   | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Ministerial Review  | \$ 399   | \$ 410   |   | --   | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |

|   |          |          |    |   |
|---|----------|----------|----|---|
| Modification to Natural Features Standards (Corvallis Urban Fringe only):   | --       | --       | -- | --  |
| Implementation Plan (88.800(3) to (9)) & Non-Discretionary Review (88.800(1))   | \$ 693   | \$ 710   | -- | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Discretionary Review per BCC 88.800(2)  | \$ 1,061 | \$ 1,085 | -- | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Non-Conforming Use Alteration or Expansion  | \$ 1,066 | \$ 1,090 | -- | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Pre-application Conference, when required by code (e.g., subdivision, series partition, partition subject to Chapter 100) | \$ 767   | \$ 785   | -- | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Pre-application Conference requested by applicant or Planning Official  | \$ 441   | \$ 455   | -- | Applied 2.1% increase and rounded up to nearest \$5 increment |

**ATTACHMENT A -  
LAND USE/PLANNING APPLICATION FEES**

| FEE DESCRIPTION                               | 2024                                 | 2025                                 | Planning Per Parcel Fee [2025] | Deposit (variable by App Type) [2025] | REASON FOR CHANGE / RECOMMENDATION [2025]                     |
|---|--------------------------------------|--------------------------------------|--------------------------------|---------------------------------------|---|
|   | Base Planning Application Fee [2024] | Base Planning Application Fee [2025] |                                |                                       |   |
| Site Development Plan Review: No site visit   | \$ 478                               | \$ 490                               | --                             | --                                    | Applied 2.1% increase and rounded up to nearest \$5 increment |
| Site Development Plan Review: With site visit | \$ 725                               | \$ 740                               | --                             | --                                    | Applied 2.1% increase and rounded up to nearest \$5           |

|  |                    |                    |          |  |
|--|--------------------|--------------------|----------|--|
|  |                    |                    |          | <i>increment</i>   |
| Variance   | \$ 992             | \$ 1,015           | --       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Vested Right   | \$ 1,260           | \$ 1,290           | --       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Winery land use application (per BCC 55.150)   | \$ 646             | \$ 660             | --       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Winery Events License for 1 to 6 events per year   | \$ 399             | \$ 410             | --       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Winery Events Permit for 7 or more events per year   | \$ 399             | \$ 410             | --       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Zone/ Comprehensive Plan Change: Zone change only and a 2nd legal ad                             | \$ 2,861           | \$ 2,925           | --       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Zone/ Comprehensive Plan Change: Zone/Comp Plan change without Goal Exception and a 2nd legal ad | \$ 3,250           | \$ 3,320           | --       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Zone/ Comprehensive Plan Change: Zone/Comp Plan change with Goal Exception and a 2nd legal ad    | \$ 4,898           | \$ 5,005           | --       | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Zone/ Comprehensive Plan Change: Mineral & Agg. Overlay-Zone/Comp Plan change and a 2nd legal ad | <i>Actual Cost</i> | <i>Actual Cost</i> | \$ 4,000 | <i>No change - actual cost (no change in deposit)</i>                |
| <b>APPEALS</b>   |                    | \$ -               |          |  |

**ATTACHMENT A -  
LAND USE/PLANNING APPLICATION FEES**

| <b>FEE DESCRIPTION</b>   | <b>2024</b>  | <b>2025</b>  | <b>REASON FOR CHANGE / RECOMMENDATION [2025]</b> |  |
|--|--|--|--|--|
|  | <i>Base Planning Application Fee</i><br>[2024]   | <i>Base Planning Application Fee</i><br>[2025]   | <i>Planning Per Parcel Fee</i><br>[2025]         | <i>Deposit (variable by App Type)</i><br>[2025]  |
| Appeal of a Planning Commission decision in Landfill Site Zone                                       | <i>Actual Cost* (borne by appellant); \$5,000 deposit (equivalent to half of original application deposit)</i> | <i>Actual Cost* (borne by appellant); \$5,000 deposit (equivalent to half of original application deposit)</i> |  | \$5,000  |
| Appeal of a Planning Commission decision excluding Landfill Site Zone                                | <i>Actual cost*</i>  | <i>Actual cost*</i>  |  | <i>Deposit of original application fee</i><br>No change - actual cost (no change in deposit) |
| Appeal of a Planning Official's decision   | <i>Actual cost</i>   | <i>Actual cost</i>   | --   | No change - actual cost  |
| Remand hearing   | \$ 1,454   | \$ 1,485   | --   | Applied 2.1% increase and rounded up to nearest \$5 increment                                |
| <b>OTHER</b>   |  |  |  |  |
| Hourly Land Use/Property Research (extensions requiring review by Planning Official, general, other) | <i>\$130/hourly rate, 1 hr. deposit</i>  | <i>\$130/hourly rate, 1 hr. deposit</i>  |  | \$ 130 No change   |



|  |    |      |    |      |    |  |
|--|----|------|----|------|----|--|
| Land Use Permit Extensions Reviewed by PC (fee includes \$540 Full Notice) | \$ | 452  | \$ | 465  | -- | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Public Hearing requested by applicant, add on (for non-partitions/PLAs)    | \$ | 635  | \$ | 650  | -- | <i>Applied 2.1% increase and rounded up to nearest \$5 increment</i> |
| Photo Copies/Prints: Letter & Legal sizes                                  | \$ | 0.25 | \$ | 0.25 | -- | <i>No change</i>   |
| 11 x 17 (poster size) & all sizes color copies/prints                      | \$ | 1.00 | \$ | 1.00 | -- | <i>No change</i>   |

**ATTACHMENT A -  
LAND USE/PLANNING APPLICATION FEES**

| <i>FEE DESCRIPTION</i>           | <i>2024</i>   | <i>2025</i>  | <i>Deposit<br/>(variable<br/>by App<br/>Type)</i> | <i>REASON FOR CHANGE /<br/>RECOMMENDATION [2025]</i>   |
|----------------------------------|---|--|---|--|
|                                  | <i>Base Planning<br/>Application Fee<br/>[2024]</i> | <i>Base<br/>Planning<br/>Application<br/>Fee<br/>[2025]</i>  |   |  |
| Refund Check Processing          | \$ 25   | \$ 25  | --  | No change  |
| Unauthorized Land Use Activities | <i>Double<br/>Standard Fee</i>                      | <i>Double<br/>Standard Fee</i>   | --  | No change  |
| <b>CPACE</b>                     | <b>Not Applicable</b>                               | <b>\$ 1% of Total<br/>Financed by<br/>Property<br/>Owner, or a<br/>minimum of<br/>\$2,500 and<br/>capped at a<br/>total of no<br/>more than<br/>\$15,000</b> | --  | <b>This fee floor and fee ceiling shall annually<br/>increase based on the consumer price index.</b> |

## **9. PUBLIC HEARING**



# AGENDA ITEM CHECKLIST

|                        |  |
|------------------------|--|
| Requested Meeting Date | February 4, 2025   |
| Meeting Type           | <input checked="" type="checkbox"/> Regular Board Meeting<br><input type="checkbox"/> Goal-setting Meeting<br><input type="checkbox"/> Information-sharing Meeting |
| Your Department        | Corvallis-Benton Economic Development Office   |
| Contact Name           | Christopher Jacobs   |
| Phone/Extension        | 541.766.6339   |

## AGENDA ITEM DETAILS

Enter the title of your agenda item here:

In the Matter of Enacting Chapter 41 of the Benton County Code, Titled Commercial Property Assessed Clean Energy (CPACE) Financing, Ordinance No. 2025-0324

Please check all that apply to your item

- |  |  |
|--|--|
| <input type="checkbox"/> Appointments          | <input checked="" type="checkbox"/> Ordinance/Public Hearing and 1 <sup>st</sup> Reading |
| <input type="checkbox"/> Budget                | <input type="checkbox"/> Ordinance: 2 <sup>nd</sup> Reading and Adoption                 |
| <input type="checkbox"/> Contract/Agreement    | <input type="checkbox"/> Proclamation  |
| <input type="checkbox"/> Discussion and Action | <input type="checkbox"/> Project/Committee Update  |
| <input type="checkbox"/> Discussion Only       | <input type="checkbox"/> Report  |
| <input type="checkbox"/> Order                 | <input type="checkbox"/> Other   |
| <input type="checkbox"/> Resolution            |  |
| <input type="checkbox"/> Public Hearing        |  |

|                                    |  |
|------------------------------------|--|
| <b>Board/Committee Involvement</b> | <input type="checkbox"/> No  |
|                                    | <input checked="" type="checkbox"/> Yes<br>If yes, name of Board/Committee: Economic Development Coalition |

|                      |   |
|----------------------|---|
| <b>Advertisement</b> | <input type="checkbox"/> No   |
|                      | <input checked="" type="checkbox"/> Yes<br>If yes, names/dates of publication(s): |

## DESCRIPTION AND FISCAL IMPACT

Describe the item (include background, history, need, importance, benefits, requirements, etc.)

The CPACE Program allows owners of eligible commercial property to obtain long-term financing from private capital providers for certain qualified improvements. While the financing is repaid to the Capital Provider, the CPACE Act directs the County to impose a voluntary benefit assessment and record a lien (the "CPACE Lien") on the property. Oregon Revised Statutes (ORS 223.680 and ORS 223.685) authorize local governments to establish property assessed financing programs that help property owners finance energy, water, renewable, and seismic improvements to qualifying real property.

Options

Fiscal Impact?

No

Yes

If yes, describe impact:

The County, as compensation for time and costs incurred in the establishment of the CPACE Program, including the CPACE Ordinance, this Guidebook, and draft documents, as well as for reviewing a Project Application for completeness and executing the Benefit Assessment Agreement, CPACE Lien, and Assignment, is entitled to a fee equal to 1% of the amount financed by the Property Owner, or a minimum of \$2,500 and capped at a total of no more than \$15,000. The Property Owner must pay this fee to the County at the closing of the transaction between the Property Owner and the Capital Provider, and such payment is a condition precedent to recording.

## 2040 THRIVING COMMUNITIES INITIATIVE

Mandated service?

No

Yes

If yes, describe impact:

**Core Values** (select all that apply)

|   |  |
|---|--|
| <input type="checkbox"/> Vibrant, livable Communities         | <input type="checkbox"/> Community Resilience  |
| <input type="checkbox"/> Supportive People Resources          | <input type="checkbox"/> Equity for Everyone   |
| <input type="checkbox"/> High Quality Environment and Access  | <input type="checkbox"/> Health in All Actions |
| <input checked="" type="checkbox"/> Diverse Economy That Fits | <input type="checkbox"/> Not Applicable        |

**Explain Core Values Selections**

**Focus Areas and Vision** (select all that apply)

|   |   |
|---|---|
| <input type="checkbox"/> Community Safety<br><input type="checkbox"/> Emergency Preparedness<br><input type="checkbox"/> Outdoor Recreation<br><input checked="" type="checkbox"/> Prosperous Economy<br><input type="checkbox"/> Environment and Natural Resources<br><input type="checkbox"/> Mobility and Transportation | <input type="checkbox"/> Housing and Growth<br><input type="checkbox"/> Arts, Entertainment, Culture, and History<br><input type="checkbox"/> Food and Agriculture<br><input type="checkbox"/> Lifelong Learning and Education<br><input type="checkbox"/> Not Applicable |
|---|---|

**Explain Focus Areas and Vision Selections**

**RECOMMENDATIONS AND MOTIONS**

Staff  
Recommendations

Adopt Ordinance No. 2025-0324 Enacting Chapter 41 of the Benton County Code, Titled Commercial Property Assessed Clean Energy (CPACE) Financing and conduct the First Reading

**Meeting  
Motion**

**I move to adopt Ordinance No. 2025-0324 Enacting Chapter 41 of the Benton County Code, Titled Commercial Property Assessed Clean Energy (CPACE) Financing and conduct the First Reading.**

**ATTACHMENTS, COMMENTS, AND SUBMISSION**

This checklist and any attachments will be published in the Board Meeting packet.

Comments

Ordinance No. 2025-0324  
CPACE Program Documents



## Staff Report

BENTON COUNTY BOARD OF COMMISSIONERS

**Meeting Date:** February 4, 2025  
**Department(s):** Economic Development Office  
**Presented by:** Christopher Jacobs, Economic Development Manager

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**Agenda Title:** **Consideration of Adopting Ordinance No 2025-0303 - Adopting Chapter 41 of the Benton County Code Establishing the Benton County Commercial Property Assessed Clean Energy (CPACE) Program**

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### **REQUESTED ACTION**

Adopt Ordinance 2025-0303 - An Ordinance Adopting chapter 41 of the Benton County Code Establishing a Commercial Property Assessed Clean Energy (CPACE) Program

### **Summary**

The Oregon Statutes (ORS 223.680 and ORS 223.685) authorize local governments to establish property assessed financing programs that help property owners finance energy, water, renewable, and seismic improvements to qualifying real property. The financing is secured with a lien on the benefitted property (Benefit Assessment Lien) with the same priority as a lien for the assessment for local improvements. The local improvement lien is an established mechanism used by municipalities for decades to finance projects that provide a public benefit such as street improvements, water, sewer and street lighting. Repayment of the CPACE financing is between a private lender and a property owner, when the lender's lien against the property is filed, the county only has to review the lien application for compliance with the CPACE state law, and then record a unique agreement that includes the acknowledgment of a special property "benefit assessment" by the county.

Eligible properties include any privately-owned commercial, industrial, agricultural, or multi-family real property of five (5) or more dwelling units located within the boundaries of the Region (including properties owned by a not-for-profit organization). CPACE financing is available in four categories: energy efficiency, renewable energy, water conservation, and seismic rehabilitation improvements. Improvements that reduce greenhouse gas emissions would qualify, provided that the improvements also conserve energy or result in renewable energy improvements.

### **Benefits of CPACE**

One of the biggest barriers to converting potential projects to completed projects for efficiency and seismic upgrades are the up-front cost of the types of measures identified in the statute as qualifying improvements. CPACE financing typically requires little up-front investment, and qualifying improvements improve property value. Energy efficiency measures, in particular, also lower operating costs. In addition, CPACE financing has the following benefits:

- **Up to 100%, long-term financing.** Many owners lack the capital to complete efficiency and seismic improvements. All direct and indirect costs incidental to the qualified improvements can be wrapped into CPACE financing.
- **Transferrable upon sale.** Some owners may want to sell the building before the financing is repaid. The CPACE lien and assessment are attached to the property and transfers to the new owner.
- **Cash flow benefits.** CPACE financing may be repaid over the useful life of the improvements, which because of the long-term financing options can have positive effects on cash flow.
- **Triple-net and Full-net leases may allow pass-through of assessment installments to tenants.** Under triple/full net leases, CPACE payments can be passed along to tenants, who also typically derive benefit from any energy savings through reduced operating costs.

By allowing a property owner to access 100% up-front financing for longer terms than are typically available for conventional financing, more substantial efficiency and seismic improvements are now more affordable with CPACE. Energy auditors, architects, engineers, and contractors can suggest CPACE financing as a way for their clients to implement needed energy or seismic upgrades that might otherwise be unaffordable. Since the demand for building efficiency and seismic improvements will grow in a CPACE-enabled jurisdiction, CPACE can also be a powerful business growth catalyst for building professionals like energy auditors and contractors.

By making it more affordable for building owners to make major improvements to their buildings, local building stock value is enhanced, and more jobs are created. Energy, water, and seismic upgrades create a more competitive environment for retaining and attracting new businesses by lowering energy costs and improving the structural soundness of buildings. Upgraded buildings can generate higher property tax payments for the city/county. Energy upgrades also typically reduce greenhouse gases and other pollutants, which facilitates adherence to city, county, or state climate action plans or goals.

## **Qualifications**

**Property Owner** means an owner of qualifying eligible property, which is the record owner of title to the Eligible Property. The Property Owner may be any type of business, corporation, individual, or non-profit organization.

**Qualified Improvements** means a permanent improvement affixed to the real property that must meet at least one of these criteria:

- Decrease energy consumption or demand through the use of efficiency technologies, products, or activities that reduce or support the reduction of energy consumption or allow for the reduction in demand or reduce greenhouse gas emissions (“Energy Efficiency Improvement”);
- Support the production of clean, renewable energy, including but not limited to a product, device, or interacting group of products or devices on the customer's side of the meter that generates electricity, provides thermal energy, or regulates temperature (“Renewable Energy Improvement”);
- Decrease water consumption or demand and address safe drinking water through the use of efficiency technologies, products, or activities that reduce or support the reduction of water consumption, allow for the reduction in demand, or reduce or eliminate lead from water which may be used for drinking or cooking (“Water Conservation Improvement”); or
- Increase seismic safety through rehabilitation improvements (“Seismic Improvement”).



Qualified Projects include the following:

- The acquisition, construction (including new construction), lease, installation, or modification of a Qualified Improvement permanently affixed to an Eligible Property.
- For Renewable Energy Improvements, “permanently affixed” includes Qualified Projects that are subject to a power purchase agreement or lease between the Property Owner/applicant and the owner of the subject renewable energy system, if the power purchase agreement or lease contains all of the following provisions:
  - a) The Renewable Energy Improvement relates to a Renewable Resource, which includes: (a) water; (b) wind; (c) solar energy; (d) geothermal energy; (e) bioenergy from biomass (like manure or wood products) or biogas (like methane); (f) renewable hydrogen; (g) wave, ocean, or tidal power; (h) Alternative fuels such as ethanol, biodiesel, renewable diesel.
  - b) The term of the power purchase agreement or lease is at least as long as the term of the related Benefit Assessment Agreement.
  - c) The owner of the Renewable Energy Improvement agrees to install, maintain, and monitor the system for the entire term of the Benefit Assessment Agreement.
  - d) Neither the owner of the Renewable Energy Improvement, nor the Property Owner, nor any successors in interest are permitted to remove the system prior to completion of the full repayment of the CPACE Lien.
  - e) After installation, the power purchase agreement or lease is paid, either partially or in full, using the funds from the CPACE financing.
  - f) The power purchase agreement or lease specifies the holder of the CPACE Lien is a third- party beneficiary of the power purchase agreement or lease until the CPACE Lien has been fully repaid.
- Qualified Projects include the refinancing of existing properties that have had Qualified Improvements installed and completed for no more than three (3) years prior to the date of Project Application.

Qualifying Capital Provider may be any of the following:

- a corporation, partnership, or other legal entity that provides proof that it is currently registered as a CPACE Capital Provider in two different states with CPACE programs;
- a federal or state-chartered bank or credit union; or
- a private entity, whose principal place of business is located in the state of Oregon, provided it is licensed or permitted to do business within the state and can produce its most recent audited financial statement or regulatory business filing.

Qualifying costs that can be CPACE financed include:

- Materials and labor necessary for installation or modification of a Qualified Improvement;
- Permit fees;
- Inspection fees;
- Financing or origination fees;
- Program application and administrative fees;
- Project development, architectural, and engineering fees;
- Third-party review fees, including verification review fees;
- Capitalized interest;
- Interest reserves;
- Escrow for prepaid property taxes and insurance;
- Any other fees or costs that may be incurred by the Property Owner incident to the installation, modification, or improvement on a specific or pro rata basis.
- See also the definition of Total Eligible Construction Costs in Section 5(5)(D).

## **Application Process**

The County Administrator's Office or designee will review the Project Application Checklist for proof of compliance with the requirements of the statute that are necessary for the County to approve the application and execute the applicable documents for the proposed CPACE transaction. All applicants are encouraged to review the Project Application Checklist accompanying the Application to ensure that the types of information that the County will rely upon to verify compliance with the statute are present in the completed Application.

The process of obtaining financing under the Program starts when a Property Owner approaches a Capital Provider. The Capital Provider will work with the Property Owner to collect a number of diligence items. Once all the items have been received, reviewed, and approved by the Capital Provider, the parties should settle on the loan terms.

The general flow of the CPACE application process will be as follows:

(1) The Property Owner and the Capital Provider prepare the Project Application, consisting of Project Application, Project Application Checklist, and all supporting documents (described below). Applicants are encouraged to review the Project Application Checklist accompanying the Project Application to ensure that the types of information that the County will rely upon to verify compliance with the CPACE Act and CPACE Ordinance are present in the completed Project Application.

(2) The County Administrator's Office or designee will have 10 business days (not including the day the application was submitted) to review and approve, conditionally approval, or disapprove of the Project Application. If the office has received an unusually high number of applications, or if review is delayed because of some force majeure event, the office may notify the applicant that the application review and approval will be delayed by no more than 10 additional business days.

(3) The County application review process is confined to confirming that the Project Application is complete and all attachments conform to these guidelines. County approval does not constitute endorsement of any representations that may be made with regard to the operation and any savings associated with the Qualified Improvements. All risk and liability is borne by the property owner and capital provider. The County Administrator's Office or designee will review the Project Application for proof of compliance with the requirements of the CPACE Act and CPACE Ordinance that are necessary for the County to approve the Project Application and execute the applicable documents for the proposed CPACE transaction. Incomplete Project Applications will be returned to the applicant, and the County Administrator's Office or designee will notify the applicant about which items from the Project Application Checklist were not provided or are insufficient or inaccurate on their face. If the Project Application and supporting documents comply with the Project Application Checklist, the Project Application will be approved, and the approval communicated in writing to the applicant.

(4) The Project Application may be conditionally approved if the application is complete but the attachment regarding lender consent is not yet available. Conditional approval will be treated the same as an approval, with exceptions noted below.

(5) Upon receipt of approval, the Capital Provider will pay the CPACE program fee equal to 1% of the amount financed by the Property Owner, or a minimum of \$2,500 and capped at a total of no more than \$15,000 to the County Administrative Services department.

(6) Upon receipt of payment the County will draft the following "Closing Document": The Notice of Benefit Assessment and CPACE Lien document. At or before closing, at the request of the applicant, the designated and authorized official will execute closing documents.

(7) If the Project Application received conditional approval, the Closing Documents executed by the County may not be released from escrow unless and until all contingencies (including lender consents) have been received and executed in accordance with the Program Guide.

(8) At closing, the County will record the Notice of Benefit and CPACE Lien document in the Office of the Recorder for the County.

(9) Upon confirmation of recordation, the Capital Provider will disburse funds in accordance with the Financing Agreement.

### **Budget Impact**

The administrative responsibilities of program implementation are expected to be carried out by the Corvallis Benton Economic Development Office as a designee of the County Administrator. Based on the volume of eligible projects in other communities that have adopted CPACE throughout Oregon, three applications or fewer are expected annually for a revenue projection between \$7,500 and \$45,000 annually at the high end.

### **Attachments**

- A: Program Summary
- B: Program Application Checklist:
- C: Certificate of Capital Provider Certification
- D: Certificate of Qualified Improvement
- E: CPACE Resolution
- F: CPACE Ordinance
- G: Notice of Benefit Assessment and CPACE Lien
- H: CPACE Application
- I: Resolution establishing CPACE Fee

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

**In the Matter of Enacting Chapter 41 )  
of the Benton County Code, Titled ) **ORDINANCE NO. 2025-0324**  
Commercial Property Assessed Clean )  
Energy Financing )**

THE BENTON COUNTY BOARD OF COMMISSIONERS HEREBY ORDAIN AS  
FOLLOWS:

WHEREAS, the Corvallis Benton Economic Development Office has identified ongoing and significant issues concerning financing opportunities for commercial properties within Benton County wherein the proposed development seeks to enhance county goals including those associated with increased energy and water conservation and improvement of structures against seismic damage; and

WHEREAS, the Board of Commissioners considered this matter at a duly noticed public hearing on February 4, 2025, and concluded it is in the public interest to enact the Commercial Property Assessed Clean Energy Financing chapter of the Benton County Code.

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

**PART I.** **Short Title.** This ordinance shall be known as “Enactment of BCC ch. 41, Commercial Property Assessed Clean Energy Financing.”

**PART II.** **Text Amendment.** Benton County Code is hereby amended to add chapter 41 as set forth in Attachment A, attached hereto.

**PART III.** **Effective Date.** The effective date of the amendment to the Benton County Code will be:

1<sup>st</sup> Reading: February 4, 2025  
2<sup>nd</sup> Reading: February 18, 2025  
Effective Date: March 20, 2025

BENTON COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Nancy Wyse, Chair

Approved as to form:

\_\_\_\_\_  
Pat Malone, Vice Chair

\_\_\_\_\_  
Vance M. Croney, Counsel

\_\_\_\_\_  
Gabe Shepherd, Commissioner

## EXHIBIT A

### CHAPTER 41 COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM (CPACE)

#### I. ADMINISTRATION

**41.005 Purpose and Scope.** The purpose and scope of this chapter is to establish lien security and collection procedures for approved Commercial Property Assessed Clean Energy Program (CPACE) loans. [Ord. 2025-0303]

#### II. DEFINITIONS

**41.105 Definitions.** As used in BCC Ch. 41:

- (1) “Acts” means ORS 223.680 and ORS 223.685, as may be amended.
- (2) “Benefit Assessment Lien” means the special assessment lien levied against the Qualifying Real Property securing CPACE financing, pursuant to ORS 223.680(7)(a) and ORS 223.685(6)(a), as may be amended.
- (3) “Building Resiliency Improvements” means those certain utility and seismic rehabilitation improvements to the Qualifying Real Property that meet the requirements of the Acts and program guide.
- (4) “Clean Energy” means energy that comes from renewable, zero emissions sources that do not pollute the atmosphere when used, as well as energy saved by energy efficiency measures.
- (5) “Benton County CPACE Program” means the program provided for under the Acts for the financing and construction of Building Resiliency Improvements on Qualifying Real Property.
- (6) “Pollutants” means any substance that contaminates air, soil, or water and that in sufficient concentrations contributes to undermining public health.
- (7) “Qualifying Real Property” means the real property that qualifies to receive CPACE financing for Building Resiliency Improvements under the Benton County CPACE program.
- (8) “Renewable Energy” mean clean energy that comes from natural sources or processes that are constantly replenished.
- (9) “Seismic Rehabilitation” means improvements to Qualifying Real Property that are: (a) intended to reduce or prevent harm to persons and property due to the effects of seismic activity on the Qualifying Real Property; and (b) authorized by the County or its designee.

(10) “Treasurer” means the appointed Chief Financial Officer position for Benton County, designated pursuant ORS 223.505(3) to take all steps necessary to enforce delinquent liens and to maintain records pertaining to collection proceedings thereon.

(11) “Utilities Improvements” means improvements to Qualifying Real Property for any of the following purposes: (a) energy efficiency; (b) renewable energy; (c) energy storage; (d) smart electric vehicle charging stations; or (e) water efficiency. [Ord. 2025-0303]

### **III. LIENS AND ENFORCEMENT**

#### **41.205 Benefit Assessment Liens.**

(1) Benefit Assessment Liens shall be entered into the County lien docket.

Pursuant to ORS 223.680(7)(a), Benefit assessment Liens shall have the same priority, as determined under ORS 223.230(3), as a lien for assessments for local improvements arising under ORS 223.393. [Ord. 2025-0303]

#### **41.210 Enforcement of CPACE Benefit Assessment Liens**

(1) If any installment of any Benefit Assessment Lien bonded is delinquent for a period of one-year from the time it become due and payable, or at any time after 60 days from the time it become due and payable if not bonded, the county clerk may thereafter prepare and transmit to the Treasurer a list in tabular form, made up from lien docket, describing each Benefit Assessment Lien or installment due on any Benefit Assessment Lien that is so delinquent. The list shall also contain the name of the person to whom assessed, a particular description of the property, the amount of the Benefit Assessment Lien or installment due, and any other facts necessary to be given.

(2) The Treasurer or its designee may take all steps necessary to enforce delinquent Benefit Assessment Liens and maintain records pertaining to those enforcement proceeding pursuant to the procedure set forth in ORS 223.505 or ORS 223.650, as may be amended.

(3) When an individual/entity purchases real property at a foreclosure sale under ORS 223.505 to ORS 223.590, if, with the written preapproval of the Treasurer or its designee, that purchaser incurs costs for maintaining or improving the property during the period allowed for redemption and if the property is subsequently redeemed, the Treasurer or its designee may return up to all of the penalty paid by the person redeeming the property to the purchaser. [Ord. 2025-0303]



## **Commercial Property Assessed Clean Energy (CPACE) Program Summary**

- 1) Benton County enacted Resolution No. 2025-003 authorizing creation of the CPACE program and designating appropriate department to be administrator to handle applications.
  - Exhibit A of the Resolution approved a Program Guide and draft documents that set legal parameters for the program.
  - The County Administrator's Office is administering the CPACE program.
- 2) Applications are handled via Project Application Checklist (PAC) that must be filled out by the Property Owner and Capital Provider.
  - The PAC shifts the entire burden of certification of qualifying improvement to licensed professionals retained by the Applicants.
  - Legal documents shift risk and burden to Applicants, with liability and indemnification provisions in favor of Benton County, and no ongoing exposure.
- 3) Applications utilizing the PAC will be reviewed and processed by the administrator within 10 business days.
- 4) Upon application approval the Property Owner will pay the program fee. Benton County charges a processing fee for an approved application and document processing. The program fee is 1% of CPACE total financing, or a minimum of \$2,500 and capped at a total of no more than \$15,000. Additionally, This fee floor and fee ceiling shall annually increase based on the consumer price index.
- 5) Upon receipt of payment, the administrator notifies property owner and capital provider to furnish completed legal documents to finalize transaction:
  - Lender Consent(s)
  - Notice of Benefit Assessment and CPACE lien
- 6) Benton County will execute documents, notifies Property Owner and Capital Provider; record transaction upon closing.



**COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY (CPACE) PROGRAM  
PROJECT APPLICATION CHECKLIST (PAC)**

| <u>Applicant</u>         | <i>Include this checklist with your application submittal. Applications will not be accepted without all necessary information compiled with a completed submittal.</i>   | <u>County</u>            |
|--------------------------|---|--------------------------|
| <input type="checkbox"/> | 1. CPACE Application form completed   | <input type="checkbox"/> |
| <input type="checkbox"/> | 2. Property Address<br>a) Documentation of ownership (Deed, Title Insurance report, Assessor/Treasurer Official Record)<br>b) Address must be within Benton County  | <input type="checkbox"/> |
| <input type="checkbox"/> | 3. Property Owner<br>a) Legal name of owner(s) – List all<br>b) Name of contact person<br>c) Phone number<br>d) Email address<br>e) Deed<br>f) Title Insurance Report (all names must match what is on the Title Insurance Report. <i>If the name is different, provide one of the following:</i><br><input type="checkbox"/> Certified copy of personal/corporate name change;<br><input type="checkbox"/> Certified copy of merger/sale document reflecting name change<br><input type="checkbox"/> Certified copy of Power of Attorney | <input type="checkbox"/> |



|                          |  |                          |
|--------------------------|--|--------------------------|
| <input type="checkbox"/> | <p>4. Qualifying Property</p> <p>a) Is this property:</p> <p style="padding-left: 20px;"> <input type="checkbox"/> Commercial    <input type="checkbox"/> Industrial    <input type="checkbox"/> Agricultural Multi-family (with five or more dwelling units)         </p> <p>b) Assessor/Treasurer Official Records</p> <p>c) Appraisal</p> <p>d) Zoning Report</p> <p>e) Ground Lease (if applicable)</p>  | <input type="checkbox"/> |
| <input type="checkbox"/> | <p>5. Qualifying Owner</p> <p>a) Is property owned by:</p> <p style="padding-left: 20px;"> <input type="checkbox"/> Limited Liability Company (LLC)    <input type="checkbox"/> Trust<br/> <input type="checkbox"/> General or Limited Partnership    <input type="checkbox"/> Corporation<br/> <input type="checkbox"/> Individual/Sole Proprietorship         </p> <p>b) Documentation</p> <p>If property is held by a LLC, general or limited partnership or a corporation, the applicant should include a copy of the certificate of formation, organization, incorporation or similar document and a good standing certificate/certificate of existence from the state or organization and, if not organized in Oregon, a certificate of registration to conduct business in Oregon as a foreign entity.</p> <p>If a trust, a copy of the trust agreement or a trustees' certificate. If an individual, a copy of a valid driver's license. If the application is to be signed by a party other than the applicant, then, in addition to the foregoing, a power of attorney or corporate resolution authorizing said party.</p> | <input type="checkbox"/> |
| <input type="checkbox"/> | <p>6. Capital Provider</p> <p>a) Legal Name</p> <p>b) Name of contact person</p> <p>c) Phone number</p> <p>d) Email address</p> <p>e) Evidence of qualifications (check one)</p> <p style="padding-left: 20px;"> <input type="checkbox"/> Registered capital provider of more than 2 states Federal or state-chartered bank or credit union<br/> <input type="checkbox"/> I am an Oregon-based capital provider and submitting additional information, attached.         </p> <p>f) Supporting documentation (fill out and attach "Certificate of Capital Provider Qualification"</p> <p>Note:</p>   | <input type="checkbox"/> |

|                          |  |                          |
|--------------------------|--|--------------------------|
|                          | <ul style="list-style-type: none"> <li>i. If a federal or state-chartered bank, or credit union, the certificate of organization or similar document.</li> <li>ii. If not an entity in #1, evidence of registration as a capital provider in two states.</li> <li>iii. If a private company, whose principal place of business is located in the state of Oregon, wishes to be a capital provider, and the person or company is not an entity in #1 or #2 above, documentation that: <ul style="list-style-type: none"> <li>● the entity is qualified to do business in the State of Oregon, maintains any necessary licenses or permits necessary to conduct its business in the State of Oregon, and one of the following: <ul style="list-style-type: none"> <li>● A copy of the most recent (within the last year) audited financial statement; OR</li> <li>● Copy of the most recent (within the last year) Federal or Oregon state financial institution regulatory filing.</li> <li>● NOTE: if audit is unqualified or the entity is not in good standing with any regulatory filing, application may be denied.</li> </ul> </li> </ul> </li> </ul> |                          |
| <input type="checkbox"/> | <p>7. Qualifying Improvement Certification</p> <p>a) The improvements sought are (check all the apply):</p> <p><input type="checkbox"/> Energy Efficient    <input type="checkbox"/> Renewable Energy<br/> <input type="checkbox"/> Water Efficient    <input type="checkbox"/> Seismic Improvement</p> <p>i. If Renewable Energy, improvement is (choose one):</p> <p><input type="checkbox"/> Direct Purchase<br/> <input type="checkbox"/> Power Purchase Agreement</p> <p>b) Attach "Certificate of Qualified Improvement" that is complete, signed, and includes accompanying documentation.</p>  | <input type="checkbox"/> |
|                          | <p>a) Lienholder Consent</p> <p>b) <input type="checkbox"/> Attached    <input type="checkbox"/> Delivered at Close</p> <p>i. If consent will be executed at closing, conditional approval is given.</p>   |                          |

|  |  |  |
|--|--|--|
|  | <p>ii. If consents are delivered at closing, applicant must hold county-executed closing documents in escrow until consents are obtained. At discretion of the office of County Administrator, this application may be amended and returned with copies of consents attached.</p> <p>c) Applicant should submit:</p> <p><input type="checkbox"/> Benton County Notice and Consent to Benefit Assessment Lien</p> <p>AND</p> <p><input type="checkbox"/> Benton County CPACE Notice of Benefit Assessment and CPACE Lien</p> <p><i>Note: Documents must be substantially the same as the Benton County Model forms</i></p> <p>iii. The forms must be signed and notarized in appropriate places.</p> <p>ii. Cross-check list of lienholders from Title Report with Written Consents provided by Capital Provider.</p> |  |
|--|--|--|

**BY SIGNATURE BELOW, THE APPLICANTS (THE PROPERTY OWNER AND CAPITAL PROVIDER) AFFIRM THAT THE INFORMATION AND DOCUMENTATION ARE TRUE AND CORRECT TO THE BEST OF THEIR ABILITY AND THAT THE APPLICANTS HAVE READ THE DISCLOSURES AND DISCLAIMERS ATTACHED TO THIS APPLICATION AND UNDERSTAND THE RISKS OF PARTICIPATING IN THE CPACE PROGRAM; FURTHER, THAT THE APPLICANTS AFFIRM THAT NEITHER THE COUNTY, ITS GOVERNING BODY, EXECUTIVES, NOR EMPLOYEES ARE PERSONALLY LIABLE AS A RESULT OF EXERCISING ANY RIGHTS OR RESPONSIBILITIES GRANTED UNDER THIS PROGRAM.**

**APPLICATION FORM SIGNED AND DATED**

ON BEHALF OF PROPERTY OWNER: \_\_\_\_\_

NAME & TITLE: \_\_\_\_\_

ON BEHALF OF CAPITAL PROVIDER: \_\_\_\_\_

NAME AND TITLE: \_\_\_\_\_

---

**TO BE COMPLETED BY AUTHORIZED COUNTY OFFICIAL**

DATE RECEIVED: \_\_\_\_\_

APPLICATION: APPROVED \_\_\_\_\_ CONDITIONALLY APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_

ON BEHALF OF COUNTY: \_\_\_\_\_

NAME AND TITLE: \_\_\_\_\_



**CERTIFICATE OF CAPITAL PROVIDER QUALIFICATION**

Please check all of the following that apply to the qualifications of [ ] (“Capital Provider”), the capital provider that will supply the CPACE financing for the project located at [ ]:

- \_\_\_\_\_ Capital Provider is registered to provide CPACE financing in at least two other states.  
State: \_\_\_\_\_  
Program Name: \_\_\_\_\_  
State: \_\_\_\_\_  
Program Name: \_\_\_\_\_  
Please provide documentation. Appropriate documentation includes a certification or verified copy of registration as a CPACE provider by a CPACE program.
  
- \_\_\_\_\_ Capital Provider has financed at least one previous CPACE transaction in another jurisdiction.  
State: \_\_\_\_\_  
Program Name: \_\_\_\_\_  
Transaction: \_\_\_\_\_  
Please provide documentation. Appropriate documentation includes a copy of a recorded transaction document (such as Notice of Assessment or Lien) specifying that is part of a CPACE transaction.
  
- \_\_\_\_\_ Capital Provider is a federally chartered bank, thrift institution, or credit union.  
Please provide documentation. Appropriate documentation includes a copy of the latest public filing, license, or registration with the applicable federal regulatory body.
  
- \_\_\_\_\_ Capital Provider is a state-chartered bank, thrift institution or credit union.  
Please provide documentation. Appropriate documentation includes a copy of the latest public filing, license, or registration with the applicable state regulatory body.

\_\_\_\_\_ Capital Provider is a private entity whose principal place of business is located in the state of Oregon, does not meet the above qualifications, but provides the following information for review and approval. Submission does not guarantee approval.

Name

Address

Contact name:

Email:

Phone Number:

Business License No:

Attach the most current audited financial statements (to demonstrate solvency) or the most current regulatory or business filing required by the state (to demonstrate good standing).

[Remainder of Page Intentionally Left Blank]

The undersigned certifies that the above is true and accurate as of \_\_\_\_\_, 20\_\_.

[Capital Provider]

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date Signed: \_\_\_\_\_, 20\_\_.

Title: \_\_\_\_\_



**BENTON COUNTY COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY (CPACE)  
PROGRAM**

**CERTIFICATE OF COMPLIANCE**

**Energy, Water, Renewable Energy, Seismic**

I, the undersigned, hereby certify the following facts and make the following certifications with respect to the project described in the attached Project Application (the "Project") under the Benton CPACE Program:

1. I am a licensed Professional Engineer in the State of Oregon, whose registration number and stamp are shown below, OR
  
2. I am accredited by or belong to a firm with an accreditation from:
  - American Society of Heating, Refrigeration, and Air-Conditioning Engineers (ASHRAE)
    - Building Energy Assessment Professional (BEAP)
    - Building Energy Modeling Professional (BEMP)
    - Operations & Performance Management Professional Certification (OPMP)
    - High-Performance Building Design Professional Certification (HBDP)
  - Association of Energy Engineers (AEE)
    - Certified Energy Manager (CEM)
    - Certified Measurement and Verification Professional (CMVP)
    - Certified Energy Auditor (CEA)
  - Building Performance Institute
    - Energy Auditor
  - Investor Confidence Project
    - ICP Quality Assurance Assessor
    - Other. \_\_\_\_\_

Please provide verification of professional accreditation and recognition

3. The application is for:
  - \_\_\_ an existing building
  - \_\_\_ new construction
  
4. Please describe your relationship to the project:
  - \_\_\_ I am employed by the project applicant in my professional capacity
  - \_\_\_ I am a contracted independent third-party reviewer





**BENTON COUNTY COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY (CPACE)  
PROGRAM  
CERTIFICATE OF COMPLIANCE  
Energy, Water, Renewable Energy, Seismic**

5. I reviewed the following information regarding the project (e.g., equipment specifications OR design drawings/modeling OR permit applications OR an ASHRAE Level 1 assessment/energy assessment): **Please Describe and attach study/analysis/report.**
  
6. The project proposal includes the “Qualified Improvements”, as defined in ORS 223.680 et seq, and the Program Guidebook, and the estimated useful life of each Qualified Improvement, which are listed in an attachment to this certification (please attach).
  
7. The Qualified Improvements will be permanently affixed to the property.

**IF FOR AN EXISTING BUILDING (check those that apply):**

**I CERTIFY:**

\_\_\_\_\_ The proposed Qualified Improvements will result in more efficient use or conservation of energy or water, the reduction of greenhouse gas emissions, or the addition of renewable sources of energy or water.

\_\_\_\_\_ The Qualified Improvements will result in seismic improvements.

\_\_\_\_\_ Prior to the installation of the Qualified Improvements, the pre-existing product, device, or interacting group or products or devices did not conform to applicable code requirements, or the subject property as a whole did not conform to the currently applicable building energy or water code or seismic code(s) with applicability in Benton County. After the Qualified Improvements are installed, the subject property will meet the applicable code or codes.



**BENTON COUNTY COMMERCIAL PROPERTY ASSESSED CLEAR ENERGY (CPACE)  
PROGRAM**

**CERTIFICATE OF COMPLIANCE  
Energy, Water, Renewable Energy, Seismic**

**IF FOR NEW CONSTRUCTION (check those that apply):**

**I CERTIFY:**

\_\_\_\_\_ Each proposed Qualified Improvement will enable the subject property to exceed the energy efficiency or water efficiency or renewable energy code requirements.

\_\_\_\_\_ The building as a whole, as a result of the Qualified Improvements, performs above or exceeds applicable building energy and/or water codes.

Signature: \_\_\_\_\_

**NAME:**

Business name:

Business address:

Business contact email:

Business contact phone:

**IF APPLICABLE**

License No. \_\_\_\_\_

Stamp: \_\_\_\_\_

ATTACHMENTS (Please attach to Certification)

**RETURN NAME and ADDRESS**

\_\_\_\_\_  
\_\_\_\_\_

Please Type or Print Neatly and Clearly All Information

**Document Title(s) NOTICE OF ASSESSMENT INTEREST AND CPACE LIEN**

\_\_\_\_\_

**Reference Number(s) of Related Documents**

\_\_\_\_\_

**Grantor(s) [PROPERTY OWNER]**

\_\_\_\_\_  
\_\_\_\_\_

**Grantee(s) BENTON COUNTY**

\_\_\_\_\_  
\_\_\_\_\_

**Legal Description** (Abbreviated form: lot, block, plat or section township, range, quarter/quarter)

\_\_\_\_\_  
\_\_\_\_\_

**Assessor's Tax Parcel ID Number**

\_\_\_\_\_

The Auditor/Recorder will rely on the information provided on this form. The Staff will not read the document to verify the accuracy and completeness of the indexing information provided herein.

**Sign below only if your document is Non-Standard.**

I am requesting an emergency non-standard recording for an additional fee as provided in ORS 205.320 et seq. I understand that the recording processing requirements may cover up or otherwise obscure some parts of the text of the original document.

\_\_\_\_\_  
Signature of Requesting Party

Instrument Prepared By  
And Recording Requested by:

Space Above for Recorder's Use

**NOTICE OF ASSESSMENT INTEREST AND CPACE LIEN**  
ORS 223.680(7)(a) and 223.685(6)(a) Filed in Benton County

(GRANTEE) BENTON COUNTY

(GRANTOR) [PROPERTY OWNER]

Notice is hereby given that the person named below is placing a CPACE Lien pursuant to ORS 223.680 et seq. In support of this lien the following information is submitted:

|   |   |
|---|---|
| 1. THE ASSESSMENT LIEN GRANTEE  | BENTON COUNTY   |
| 2. DATE ON WHICH THE ASSESSMENT AGREEMENT WAS SIGNED GRANTING THE RIGHT TO PLACE AN ASSESSMENT AND CPACE LIEN ON THE PROPERTY | [INSERT]  |
| 3. THE PROPERTY OWNER GRANTING THE PLACEMENT OF THE ASSESSMENT AND CPACE LIEN   | [INSERT]  |
| 4. THE PROPERTY AGAINST WHICH THE ASSESSMENT AND CPACE LIEN IS PLACED IS LOCATED AT THE FOLLOWING MUNICIPAL ADDRESS:          | [INSERT]  |
| 5. LEGAL DESCRIPTION OF THE PROPERTY IS AS FOLLOWS  | SEE EXHIBIT A TO THE ASSESSMENT AGREEMENT ATTACHED HERETO |
| 6. ASSESSOR'S PARCEL NUMBER OF THE PROPERTY   | [INSERT]  |
| 7. PRINCIPAL AMOUNT OF ASSESSMENT SECURED BY CPACE LIEN   | [INSERT]  |

|  |   |
|--|---|
| 8. TERMS AND LENGTH OF ASSESSMENT<br>SECURED BY CPACE LIEN | SEE EXHIBIT _ TO THE<br>ASSESSMENT AGREEMENT<br>ATTACHED HERETO |
| 9. COPY OF ASSESSMENT AGREEMENT<br>(ATTACHED)              | [INSERT]  |

**IN WITNESS WHEREOF**, Grantee and Grantor have caused this Notice of Assessment Interest and CPACE Lien to be executed in their respective names by their duly authorized representatives, all as of the date first above written.

**GRANTEE:**

**Benton County**

By: \_\_\_\_\_

Its: \_\_\_\_\_

**GRANTOR:**

**[PROPERTY OWNER]**

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF OREGON )  
 )  
COUNTY OF \_\_\_\_\_ )

This record was acknowledged before me on \_\_\_\_\_, 20\_\_, by \_\_\_\_\_,

{the \_\_\_\_\_,

of \_\_\_\_\_ }[Only if authorized party who is not the  
Property Owner]

WITNESS my hand and official seal.

Signature : \_\_\_\_\_(seal)

STATE OF OREGON )  
 )  
COUNTY OF \_\_\_\_\_ )

This record was acknowledged before me on \_\_\_\_\_, 20\_\_, by \_\_\_\_\_,

the \_\_\_\_\_, of \_\_\_\_\_ County,

Washington. WITNESS my hand and official seal.

Signature : \_\_\_\_\_(seal)



**BENTON COUNTY COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY (CPACE)  
PROJECT APPLICATION**

Benton County administers a Commercial Property Assessed Clean Energy (CPACE) financing program. The CPACE Program allows owners of eligible commercial property to obtain long-term financing from private capital providers for certain qualified improvements. While the financing is repaid to the Capital Provider, the CPACE Act directs the County to impose a voluntary benefit assessment and record a lien (the “CPACE Lien”) on the property.

The Benton County CPACE program was established in 2025 (Ordinance 2025-003) and is administered through the Corvallis Benton Economic Development Office.

These are the steps of the CPACE application process:

1. Property owner develops an energy efficiency, renewable energy, water conservation, and/or seismic rehabilitation project idea.
2. Property owner identifies a capital provider for their project.
3. Property owner and capital provider coordinate to complete application materials and submit to Corvallis Benton Economic Development Office ([economic.development@corvallisoregon.gov](mailto:economic.development@corvallisoregon.gov)).
4. Corvallis Benton Economic Development Office staff reviews application and issues letter or approval, conditional approval or denial within 30 business days.
5. Upon approval property owner pays processing and documenting fee to Benton County.
6. Corvallis Benton Economic Development Office releases the agreements to the property owner.
7. Property owner provides recordation number to Corvallis Benton Economic Development Office.
8. Capital provider funds the project.
9. After project completion, applicant provides a signed certification form to the capital provider and Corvallis Benton Economic Development Office.

## CPACE Project Application

### Property Owner Information

Legal Name (s): \_\_\_\_\_

\_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

### Property Information

Property Address: \_\_\_\_\_

Parcel Numbers: \_\_\_\_\_

Property Description: \_\_\_\_\_

Property Type:  Commercial  Industrial  Agricultural

Multi-family (with five or more dwelling units)  Other \_\_\_\_\_

Building uses: \_\_\_\_\_

Qualifying owner:  Limited Liability Company  Corporation  Trust

General or limited partnership  Individual/Sole proprietorship

### Proposed Qualified Improvements – Qualifying Improvement Certification

The improvements sought are (check all that applies):

Energy Efficiency  Renewable Energy  Water Conservation

Seismic Rehabilitation

i. If Energy Efficiency, improvement is:

HVAC System  Windows & Doors  Temperature Control System  Lighting

Siding/Insulation/Roofing  Appliances  Other \_\_\_\_\_



ii. If Renewable Energy, improvement is:

Solar Panels    Thermal    Other \_\_\_\_\_

And if Renewable Energy, improvement is (check one):

Direct Purchase

Power Purchase Agreement

iii. If Water Conservation, improvement is:

Lead Reduction    Low-flow fixtures    Irrigation System    Control System

Water Collection & Reuse    Other \_\_\_\_\_

iv. If Seismic Rehabilitation, improvement is:

Seismic Retrofit    Other \_\_\_\_\_

### Capital Provider Information

Legal Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Mailing address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Must answer 'Yes' to at least one of the following and provide required documentation per Program Application Checklist:

Federal or state-chartered bank or credit union:    Yes    No

Registered capital provider in more than two states:    Yes    No

Qualified to do business in Oregon:    Yes    No

Lienholder Consent Form (signed and notarized)

Attached

Delivered at closing

If consent form will be executed at closing, conditional approval is given. If consent is delivered at closing, applicant must hold county-executed closing documents in escrow until consent is obtained. At discretion of this office, this application may be amended and returned with copy of consent attached.

**Application Signatures**

By signature below, the applicants (Property Owner and Capital Provider) affirm that the information and documentation are true and correct to the best of their ability and that the applicants understand the risks of participating in the CPACE program. Further, the applicants affirm that neither the county, its governing body, executives, nor employees are personally liable as a result of exercising any rights or responsibilities granted under this program.

Application signed and dated on: \_\_\_\_\_

On behalf of property owner: \_\_\_\_\_

Name and title: \_\_\_\_\_

On behalf of capital provider: \_\_\_\_\_

Name and title: \_\_\_\_\_

**TO BE COMPLETED BY AUTHORIZED COUNTY OFFICIAL**

Application:  Approved  Conditionally Approved  Denied

On behalf of Benton County: \_\_\_\_\_

Name and title: \_\_\_\_\_

\_\_\_\_\_

Conditions of approval, if applicable: \_\_\_\_\_

\_\_\_\_\_