

INFORMAL MINUTES

October 16, 2006

2:00 p.m.

Oval Office

PRESENT: Commissioners Leslie Lewis, Kathy George, and Mary P. Stern.

Staff: John M. Gray, Jr., John Krawczyk, Steve Mikami, Laura Tschabold, Dave Lawson, Bruce Tindall, Mike Brandt, and Murray Paolo.

Guests: None.

* indicates item forwarded to formal agenda

Leslie called the meeting to order.

* Personnel - Steve Mikami presented personnel requests from various departments. See agenda for details.

The Board discussed the renewal of the county’s workers’ compensation insurance policy with Liberty Northwest. Steve stated that the county had a self-inspection by OSHA two years ago and has made all of the recommended corrections. He added that Public Works is receiving ongoing training through Liberty Northwest to reduce the risk of employee injuries.

* Committees - Approve the appointment of Ron Huber, Laura Pitigliano, and Jan Urton to the Mental Health Advisory Board for three-year terms to expire May 31, 2009.

* Approve the appointment of Roma Fuerst to the Safety Advisory Committee for a three-year term to expire March 18, 2009.

* Contracts - See agenda for details.

Tax Disqualifications - Dave Lawson stated that current law does not allow the county to disqualify and collect back taxes in an exclusive zone for farm special-assessed property. He explained that there is no Marion County court case on this subject, despite what he had previously been told by the Department of Revenue. Bruce Tindall reviewed a handout (see attachment) listing the statutory reasons for disqualification and collection. The group discussed the relevance to Measure 37 claims and came to a consensus that since modifying the land use regulations does not constitute a rezone, the Board will continue to process Measure 37 claims as they have been. They discussed the need to have the legislature resolve the issue by allowing counties to charge back taxes at the time of subdivision plat submittal.

* Minutes - See agenda for formal minutes to be adopted. Mary moved approval of the following informal session minutes. The motion passed, Leslie, Kathy, and Mary voting aye.

B. O. 06-800 - January 23, 2006

B. O. 06-801 - April 24, 2006

B. O. 06-802 - April 26, 2006 work session

MINUTES INFORMAL SESSION

Page 1

October 16, 2006

2:00 p.m.

LL__KG__MS__

- B. O. 06-803** - June 12, 2006
- B. O. 06-804** - June 19, 2006
- B. O. 06-805** - September 14, 2006 work session
- B. O. 06-806** - July 10, 2006
- B. O. 06-807** - July 17, 2006
- B. O. 06-808** - August 21, 2006
- B. O. 06-809** - August 28, 2006

* Budget Transfer - Approve the transfer of appropriation authority and funds for the replacement of the four main entrance doors to the Sheriff's Office:

From	10-92-950.01	Contingency	\$4513.93
To	10-43-380.23	Internal Transfer	\$4513.93

Employee Gifts/Receptions - Mary discussed the need to establish a clear policy regarding the use of county funds for plaques and receptions in honor of those leaving county employment. She explained that although departments have done this in the past, the District Attorney's Office had been told by Julia Staigers that the expenditures for Cynthia Easterday's plaque and reception would not be covered. John K agreed with the need for a clear and consistent policy and suggested inviting Julia to next week's informal session to discuss the issue. He noted that a clear policy had been adopted which requires the purchase of any gifts to be coordinated through Barbara Stanley. He expressed concern that many departments are still purchasing food for staff meetings with county funds.

The meeting adjourned at 3:42 p.m.

Anne Britt
Secretary

MEASURE 37 SUBDIVISION IN EFU FARMLAND

92.095 Payment of taxes, interest or penalties before subdivision or partition plat recorded. (1) A subdivision or partition plat may not be recorded unless all ad valorem taxes have been paid, including additional taxes, interest and penalties imposed on land disqualified for any special assessment and all special assessments, fees or other charges required by law to be placed upon the tax roll that have become a lien upon the land or that will become a lien during the tax year.

308A.113 Disqualification of exclusive farm use zone farmland. (1) Land within an exclusive farm use zone shall be disqualified from special assessment under ORS 308A.062 by:

- (a) Removal of the special assessment by the assessor upon the discovery that the land is no longer being used as farmland;
- (b) Removal of the land from any exclusive farm use zone; or
- (c) Establishing a nonfarm dwelling on the land under ORS 215.236.

308A.116 Disqualification of nonexclusive farm use zone farmland. (1) Nonexclusive farm use zone farmland qualified for special assessment under ORS 308A.068 shall be disqualified from such special assessment upon:

- (a) Notification by the taxpayer to the assessor to remove the special assessment;
- (b) Sale or transfer to an ownership making it exempt from ad valorem property taxation;
- (c) Removal of the special assessment by the assessor upon the discovery that the land is no longer in farm use for failure to meet the income requirements under ORS 308A.071 or is no longer in farm use; or

(d) The act of recording a subdivision plat under the provisions of ORS chapter 92.

321.359 Removal of designation; appeal from reassessment or denial; requalification.

(1)(a) When land has once been designated as forestland either as a result of an application being filed therefor or through the application of ORS 321.347 (3) or (4), it shall be valued as such until the assessor removes the forestland designation under paragraph (b) of this subsection.

- (b) The county assessor shall remove the forestland designation upon:
 - (A) Notification by the taxpayer to the assessor to remove the designation;
 - (B) Sale or transfer to an ownership making it exempt from ad valorem property taxation;
 - (C) Discovery by the assessor that the land is no longer forestland; or
- (D) The act of recording a subdivision plat under ORS chapter 92.

321.716 Disqualification; requalification under certain circumstances; notice; automatic qualification as forestland. (1) The county assessor shall disqualify land as small tract forestland upon:

....

(g) The recording of a subdivision plat under ORS chapter 92 that subdivides the land.

EXHIBIT A 1/1