

From: [Paul Nietfeld](#)
To: [REDICK Daniel](#); [Rough, Ginger](#); [Mark Yeager](#)
Cc: [Benton County Talks Trash](#)
Subject: A.1 Report: Intake Volume Plot "2000 FA" label
Date: Sunday, January 8, 2023 5:52:34 PM
Attachments: [Nietfeld_A1_Report_Intake_Plot_2000FA_limit_issue_8Jan2023.pdf](#)
[BentonCountyBoardofCommissionersMeeting_4Sep20189_180904_tu_pkt.pdf](#)
[republic_svcs_riverbend_landfill_500952_mou_120116-1.pdf](#)

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Daniel,

One of the items noted in the subcommittee's 1/3/2023 review of the A.1 draft were your comments expressing concern about the label applied to the intake upper bound defined in the 2000 Landfill Franchise Agreement. Working with Mark Yeager, I reviewed my original reasoning in assigning the label and addressed your concerns regarding the somewhat complicated calculation of the values for this bound.

Please see the attached pdf for our position on this point. I am also attaching the two documents referenced.

Regards,
Paul Nietfeld

Regarding the Coffin Butte Landfill Intake plot, A.1 Draft Report, Section 1.C, Figure 2

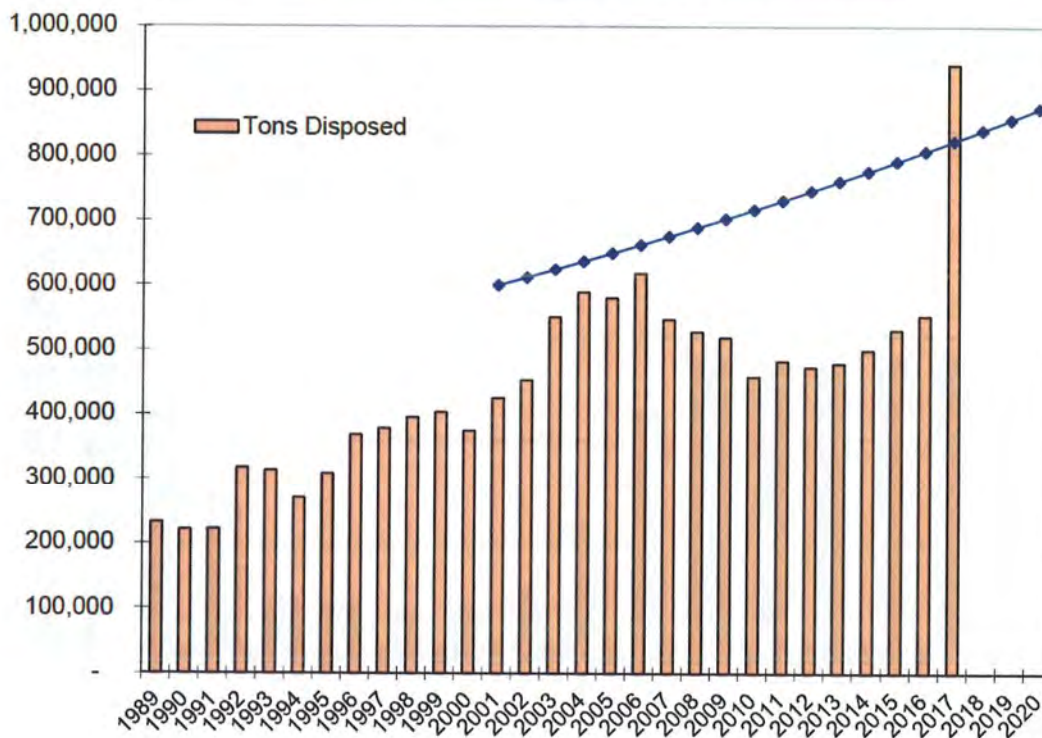
Mark Yeager, Paul Nietfeld

Jan. 6, 2023

Background on plot format

The format of this plot was chosen to correspond to that of the “Coffin Butte Landfill Tons Disposed 1989 to 2017” chart presented to the Benton County Board of Commissioners on September 4, 2018 (see below). This chart is extracted from Page 33 of the *BentonCountyBoardofCommissionersMeeting_4Sep20189_180904_tu_pkt.pdf* document. This presentation was obtained as part of neighbors’ research into LU21-047, and the 2018 plot was the most recent we were provided that was presented to the Commissioners prior to the negotiation of the 2020 Landfill Franchise Agreement; for this reason it seemed reasonable to expect that this format might be familiar to the Commissioners. Note that in 2018 the Benton County Health Department was responsible for overseeing the Coffin Butte Landfill, rather than the Benton County Community Development Department, so the Benton County Health Department was the source of the presentation incorporating the plot below.

Figure 4 - Coffin Butte Landfill Tons Disposed 1989 to 2017 and Annual Maximums Specified in Franchise Agreement



Note that the blue line with dot data points represents “Annual Maximums Specified in Franchise Agreement”, referring to the 2000 Landfill Franchise Agreement (the “2000 FA”), which was the governing instrument in 2018: the values of the blue line correlate consistently to the levels defined in the 2000 FA, assuming an annual increase of 2% (see Calculation below).

Interpretation of the 2000 Landfill Franchise Agreement volume curve/level

Basis information from the 2000 FA and county records:

- Per 2000 FA Section 8(a): "The parties acknowledge that there may be adverse effects to the County's infrastructure and environmental conditions due to increased annual volumes of Solid Waste accepted at the landfill." The County is then directed to establish a Baseline "for determining and measuring adverse effects" including "traffic, soil conditions and contamination levels; air quality; surface and ground water conditions and contamination levels; noise; odor; visual screenings; litter; hours of operation; solid waste control systems; and compliance with all solid waste Permits."
- The Baseline study was completed and published in 2001.
- Section 8(a) then dictates that: "If during the term of this Agreement the volume of solid waste accepted at the Landfill in any calendar year exceeds 600,000 tons or 1,200,000 cumulative tons over any period of two consecutive calendar years, the County may perform a new assessment." This would constitute a "Baseline Update".
- Per 8(a): "If the County determines that information in the Baseline Update indicates an adverse impact on "the Baseline," the parties shall immediately proceed in good faith to negotiate an increase in the Franchise Fee and/or Host Fee Surcharge..."
- The violations of the 2000 intake threshold in 2017-2019 gave the County a path to evaluate the impact of the higher volumes and potentially seek increases in the landfill fees, but the County effectively agreed in a 2016 MOU to maintain the existing host fee for the expected "1-2 years" of increased intake (i.e. CY 2017 & 2018), and apparently chose not to pursue remedies in 2019.

Proposal:

Given the label of "Annual Maximums" in the 2018 plot, which was generated by Benton County, and the strong concerns expressed in the 2000 FA regarding potential adverse impacts of high intake volumes, defining this level as the "2000 FA Limit" does not seem unreasonable.

Calculation of the "Annual Maximum" values

The 2000 FA defines a level of 600,000 tons per calendar year or 1,200,000 cumulative tons over any period of two consecutive calendar years, beginning at the first year of the agreement (2001) and increasing by a formula for every year thereafter during the term of the agreement.

The annual increase in the "Annual Maximum" figure is defined in Section 8(b) of the Agreement: the increase is the greater of (i) two percent (2%) or (ii) the increase in total population of 6 counties (Benton, Lincoln, Linn, Marion, Polk, Tillamook) as reported by Portland State University, based on the preceding calendar year. The current Figure 2 Intake Plot in the A.1 draft report utilizes a flat 2% increase for the entire period, as (apparently) does the 2018 plot above.

The Portland State Univ. numbers for 2000-2019 reveal that the greatest Y/Y increase for the 6 county population was 1.424% in 2006 (see spreadsheet below). **Thus, using a flat 2% Y/Y is correct per the terms of the 2000 Franchise Agreement.** This addresses the question of the accuracy of the dotted blue line in the plot. (Note that the resulting 2%/year ramp in the intake threshold considerably overwhelmed the 6-county population growth during that period, yielding an aggregate growth of 45.68% over the period (1.02**19) versus an aggregate growth of 21.31% in the 6-county population over the period.)



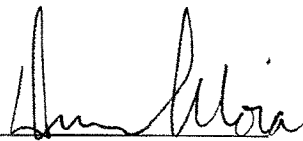
Bof Republic Sves
Riverbend
Landfill

December 1, 2016

This Memorandum of Understanding (MOU) is made on December 1, 2016 between Coffin Butte Landfill, DBA Republic Services and Benton County, Oregon as acknowledgement that Coffin Butte Landfill will be accepting municipal solid waste currently being delivered to Waste Management's Riverbend Landfill for a term of 1-2 years, beginning in January of 2017.

It is the intent of Republic Services to keep Benton County informed of any changes to material accepted at Coffin Butte Landfill in partnership with Benton County as the host county for Coffin Butte Landfill.

In accordance with the Host Agreement between Republic Services and Benton County, a host fee will be paid to Benton County for all additional tons received at Coffin Butte in the amount of \$2.31 per ton (currently,) which shall be adjusted for the CPI pursuant to section 4(c) of the Landfill Franchise Agreement dated Dec. 12, 2000


Benton County Representative


Republic Services Representative

Date 12-8-16

Date 12/8/16

Approved As To Form:


Office of County Counsel

#500952



BOARD OF COMMISSIONERS

205 NW 5th Street
P.O. Box 3020
Corvallis, OR 97339-3020
541-766-6800
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A G E N D A

BENTON COUNTY BOARD OF COMMISSIONERS

Tuesday, September 4, 2018
Benton County Board of Commissioners
Board Meeting Room
205 NW 5th, Corvallis
(Chair May Alter the Agenda)

12:00 Noon, Board Meeting Room

Public Hearings are heard at 12:00 noon, time certain

Those wishing to speak should sign the “Public Comment” sign-in sheet – Thank you.

I. Opening:

- A. Introductions**
- B. Pledge of Allegiance**
- C. Announcements**

II. Comments from the Public

A period of no more than 20 minutes is reserved for public comment. Individual comment may be limited to three minutes.

III. Review and Approve Agenda

IV. Consent Calendar (The Consent Calendar is approved with one motion)

- 4.1 Minutes to be approved:
 - February 28, 2018 Information Sharing
 - March 28, 2017 Information Sharing
 - April 25, 2017 Information Sharing

V. Proclamations

- 5.1 In the Matter of Proclaiming September 15 to October 15 Hispanic Heritage Month in Benton County – *James Morales, Records & Elections*
- 5.2 In the Matter of Proclaiming September 17, 2018, as Constitution Day in Benton County – *Xanthippe Augerot, Chair*

The Board of Commissioners may call an executive session when necessary pursuant to ORS 192.660. The Board is not required to provide advance notice of an executive session. However, every effort will be made to give notice of an executive session. If an executive session is the only item on the agenda for the Board meeting, notice shall be given as for all public meetings (ORS 192.640(2)) and the notice shall state the specific reason for the executive session as required by ORS 192.660.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the Board of Commissioners Office, (541) 766-6800.

VI. New Business

- 6.1 Discussion and Decision to Accept the 2017 Coffin Butte Landfill Operational and Capacity Annual Report
- 6.2 Discussion and Consideration of an Order Dissolving Emergency Medical Advisory Committee – *Vance Croney, County Counsel*

Public Hearing

(Hearings are heard at 12:00 noon, time certain or as soon thereafter as the matter may be heard)

Those wishing to speak should sign the “Public Comment” sign-in sheet – Thank you.

- PH 1 In the Matter of a Public Hearing and First Reading to Amend Benton County Code Chapter 19, Ambulance Service Area Plan, Ordinance 2018-0287 – *Vance Croney, County Counsel*

VII. Departmental Reports and Requests

- 7.1 In the Matter of Approving the Updated County Electronic Use Policy – *Grace McDonald, Information Technology*
- 7.2 In the Matter of Approving the County Surplus Property Donations Policy – *Grace McDonald, Information Technology*
- 7.3 In the Matter of Adopting a Resolution on Greenhouse Gas Reduction and the Climate Action Plan – *Sean McGuire, Sustainability Coordinator*
- 7.4 In the Matter of Accepting a Stormwater Easement to Benton County on Water Lane, Public Road P46616 for Access and Pond Maintenance Purposes – *Joe Mardis, Public Works*

VIII. 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.”

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MINUTES

BENTON COUNTY BOARD OF COMMISSIONERS

Tuesday, February 28, 2017
Board of Commissioners Office
9:00 a.m., Board Meeting Room
205 NW 5th Street, Corvallis, Oregon

Present: **Anne Schuster**, Chair; **Xanthippe Augerot**, Vice Chair; **Annabelle Jaramillo**, Commissioner; **Dennis Aloia**, Chief Operating Officer

Guests: **Greg Hamann**, Linn-Benton Community College(LBCC), President; **Charlie Mitchell**, LBCC, Small Business Development Manager; **Tom Nelson**, Economic Development Manager; **Lee Larson**, 2 Towns Cider; **Chris Heuchert**, Block 15; **Bennett Hall**, Reporter, *Gazette Times*

Staff: **Teresa Farley**, BOC Recorder; **Lili'a Neville**, Public Information Officer

Chair Schuster opened the meeting at 9:01 a.m.

I. Opening:

A. Introductions

B. Announcements

There were no announcements.

II. Comments from the Public

There were no comments offered.

III. Review and Approve Agenda

Nelson requested the discussion items with 2 Towns and Block 15 be moved up on the agenda to accommodate work schedules.

IV. Work Session

4.1 Update on Linn-Benton Community College – *Greg Hamann, LBCC President*

Hamann updated the Board on the following activities:

College Construction projects: Working on advance transportation planning, and many of the other projects are interior projects; health occupation training space which contains space for nursing assisting, medical assisting, dental assisting, vet tech, pharmacy, surgical technician, diagnostic imaging; and independent training center; Benton Center will have new signage, and parking capacity will be doubled. They have restructured bond levy monies to leverage money from the State, which should realize another \$7.5 million in funds.

In response to a question about offering mental health certificate programs, Hamann said they are working with Representative Gelser on legislation; the college does not currently have the capacity to add those programs.

Pipeline Program – This is a multi-institutional program that will grow jobs and create a better workforce. Funding and partnerships are predominately through private businesses. He said when they first began looking at this type of a program several years ago, companies had the potential for growth but did not have a qualified workforce to fill positions. Much research was done to look at ways to change public culture and attitude about manufacturing jobs. Previously, programs that were under filled now have waiting lists; results are being realized. Partnering between business, the

college and community to meet those needs is growing and working better, and this program is gaining a lot of national interest.

Schuster asked about Measure 98. Hamann it is intended to do a good thing, but it did not come with funding. It presents challenges for smaller communities.

Schuster asked about Blue Sun. Hamann said it is not a direct program of Linn-Benton College, rather is supported by the Linn-Benton Foundation. The Foundations objectives are not necessarily lined up with the College, but they are developing a program through Measure 98 and the Pathways Program to align those areas.

Discussion then briefly covered public safety, emergency preparedness and seismic readiness. Hamann said they have good relationships with local public safety agencies and are working on the other programs as they are able.

When asked about challenges facing the College, Hamann named the need for more resources, continuing expansion and building relationships, and education verses incarceration.

4.2 Presentation on Small Business Development Center at Linn-Benton Community College – *Charlie Mitchell, Business Development Manager*

Mitchell presented on the Small Business Development Center (SBDC) at LBCC and their services (**Exhibit #1**). He reviewed Exhibit #1 with the Commissioners. Since he has only been on the job a few weeks, the purpose of his visit with the Commissioners, was to understand the kinds of information and relationship the Commissioners will need. The Development Center is working on having more of a presence at the Benton Center and eventually would like a business start-up scholarship fund to assist veterans.

Discussion was then held on various items. In response to a question from the Board, Mitchell said that he had not yet visited with the City of Monroe, but is working through a prioritized list that Tom Nelson had developed for him, and Monroe is on that list. Funding sources and partnerships were talked about and how those systems work together. Funding for his initiatives is not very stable and most program funds are generally dedicated funds.

4.3 Quarterly Report from Economic Development – *Mark Shephard, City Administrator; Tom Nelson, Economic Development Manager*

Nelson briefed the Commissioners on staffing changes in his office and the opportunities presented from those changes. Nelson has also held discussions with Mark Shepard to review programs. They will be taking a look at Linn County partnerships and other partnerships over the next 18 months, and looking for leveraging opportunities.

He said that he will begin sending his quarterly report to the Board electronically.

The Commissioners asked that they be included in more of Economic Development processes, especially as the new staffing and initiatives move forward. Nelson agreed.

V. New Business

5.1 Discussion and Consider Enterprise Zone Application for 2 Towns – *Tom Nelson, Economic Development Manager; Justin Vail, 2 Towns*

Nelson opened the discussion by reminding the Board that both 2 Towns and Block 15 have active applications in the Enterprise Zone. Both business are staying in Benton County and because their business are growing, they have a need to expand. Enterprise Zone rules require that a new application must be made to reflect their expansion request. All required tasks have been completed and approved through the required agencies. The action required of the Commissioners today is to ask any questions they may have.

Jaramillo asked if the expansion would increase their productivity. Jordon responded that the expansion was primarily to reduce their emissions and bring their productions in-house. Their current storage facilities are in Eugene; this expansion will improve their efficiencies. Nelson added they do have plans for future expansion of a cold storage unit, and that expansion will allow them to increase their production.

MOTION: Jaramillo moved to approve the Enterprise Zone Application submitted by Forbidden Fruit Ciderhouse, LLC. Augerot seconded the motion, **which carried 3-0.**

5.2 Discussion and Consider Enterprise Zone Application Block 15 – Tom Nelson, Economic Development Manager; Chris Heuchert, Block 15

Heuchert talked about Block 15's original goal of producing 31 gallon barrels. Their facility was originally designed for 10,000 gallon barrels and they are currently at 8,000 gallon barrels. They have run into similar outgrowth of storage problems as 2 Towns has. They are proposing an expansion of a 3,000 square foot facility at the back of their property that will allow for more storage and production options, which will allow growth into more markets. In response to a question about sharing facilities, Heuchert said sharing space between the two businesses is problematic because their containers are different sizes and as such would cause shipping and other storage and building issues. In a pinch, they do help each other out as they can.

Schuster asked about chemical use inventory on the application. Heuchert replied that they have a consultant whom they have worked with and who has reviewed all of their chemicals.

MOTION: Augerot moved to approve the Enterprise Zone Application submitted by Block 15. Jaramillo seconded the motion, **which carried 3-0.**

VI. (The chief purpose of "Information Sharing" items is to allow the Board of Commissioners time and a venue to update one another of their individual activities.)

6.1 Anne Schuster, Chair

- A. Participating in the Organization of a Women's Conference – Will be held October 1 at CH2M Hill, she asked the other Commissioners to support the initiative. The Conference will focus on encourage women to empower other women to change the world. There will be mentoring opportunities, and a call to take action to get involved and learn how to make change.
- B. Good Samaritan Expansion – Attended an opinion gathering meeting, hosted by Larry Mullins and Becky Pape. They are not expanding beds, rather moving activities out of the hospital that are not associated with care. The expansion will make room for the teaching space for the teaching hospital, public education space, expand children and mental health services, and as well as other activities. Annexation for the expanded property in up for vote on the November ballot. Augerot noted that the Hospital is working with Natural Areas and Parks to assess impact on the Greenbelt and Jackson Frazier wetland. Aloia reminded the Commissioners that conversations were held with Mullins to express the City of Corvallis and Benton County's desire for Samaritan to expand and stay in the Benton County area.
- C. City-County Lead Update – Aloia updated on conversations held with the City on temporary solutions to the upcoming upgrades and remodel to the Health Department. They had data to show that over 10,000 of the clients seen at Health are Corvallis residents. The conversations are ongoing. How the Commissioners are keeping communication open between Corvallis and the County was discussed. The previous joint city/county meetings that used to be held regularly, have changed to scheduling when there is a specific item to discuss. Commissioners agreed that holding a discussion on the Urban Growth Boundary would be a good topic to schedule soon. They will begin meeting every other month with specific agendas.

- D. City of Monroe City Council meeting - Schuster attended the Council meeting that was held the previous evening. They will be conducting a survey on the Bailey Branch, and all Planning Commission positions are full and they are establishing an overlay zone for the design of new buildings; Goal Setting is being scheduled with City staff in April; a nice, new web site is now operational. It was a good meeting.

6.2 Xanthippe Augerot, Commissioner

- A. Attended NAACP “Living the Black Experience” – It was a good presentation that was well attended. Local leaders presented and discussion of being Black in Benton County was the focus of the discussion. Discussion centered on how to draw people in and how to engage people.
- B. Advisory Boards and Committees - Concerned about the lack of diversity on County Advisory Committees and acknowledged the service of so many of the volunteers. The Commissioners need to look at whether they are meeting their core values and take a more personal responsibility on community outreach. Attendance at advisory board and committees is important, but the Board needs to look at turnover and additional diversity on committees. Discussed centered on outreach and how the Commissioners could each do more.
- C. Attended a Fair Board meeting – Philomath Frolic folks have identified another Frolic site which may open more opportunities for the County Fair Grounds. The Fair Board will be having a retreat in a couple of weeks and Augerot will attend. They will probably be reviewing the Capital Improvement Plan. Aloia said that Lynne McKee, Fair Manager, had mentioned talking to the OSU Equestrian Center to look at equestrian partnerships. Neither the new Frolic grounds nor County Fair have the proper venue for equestrian competitions, which is a huge need in the County. Possibilities are being explored.

6.3 Annabelle Jaramillo, Commissioner

- A. Update on the Bike Path meeting – Three primary routes were discussed: Option 1. HWY 99W to Arnold Street to Ryals Lane; Option 2. HWY 99W to Granger Road to Pilkington to Independence HWY to North Albany Road; Option 3. Using the current path to Mulkey Street, crossing HWY 22, then crossing the river. They will begin looking at engineering designs for decision. The most problematic is the river crossing. Augerot said this item was also discussed at the last Chamber of Commerce meeting. The river route is very attractive, but there is no emergency access and there are maintenance and environmental issues. Would the use be recreation or transportation? What is the higher value? The group seemed to be leaning on the side of recreation. The process has been more positive.
- B. Cascade West Council of Governments Transportation Committee - Has a private sector person vacancy.
- C. Met with the Republican Women’s group and they are interested in learning more about seismic activities and preparedness in the area. She will contact staff to let them know.

6.4 Dennis Aloia, Chief Operating Officer

- A. No items were discussed.

VI. Other

Schuster adjourned the meeting at 12:17 p.m.

Anne Schuster, Chair

Teresa Farley, Recorder
Margaret Kotyo, Transcribed

MINUTES

BENTON COUNTY BOARD OF COMMISSIONERS

Tuesday, March 28, 2017
Board of Commissioners Office
9:00 a.m., Board Meeting Room
205 NW 5th Street, Corvallis, Oregon

- Present:** **Anne Schuster**, Chair; **Xanthippe Augerot**, Vice Chair; **Annabelle Jaramillo**, Commissioner; **Dennis Aloia**, Chief Operating Officer
- Guests:** **Terry Kohl**, Oregon Department of Transportation; **Frannie Brindle**, Oregon Department of Transportation; **Shawn Collins**, United Way; **Brad Smith**, Corvallis Housing First; **Julie Manning**, Samaritan; **Bennett Hall**, Reporter, *Gazette Times*
- Staff:** **Laurel Byer**, Public Works; **Tatiana Dierwechter**, Heath; **Teresa Farley**, BOC Recorder; **Scott Jackson**, Sheriff; **Lili'a Neville**, Public Information Officer; **Jaime Sarabia**, Board of Commissioner Intern; **Josh Wheeler**, Public Works

Chair Schuster opened the meeting at 9:00 a.m.

I. Opening:

- A. Introductions
- B. Announcements

There were no announcements.

II. Comments from the Public

There were no comments offered.

III. Review and Approve Agenda

IV. Work Session

4.1 Update from Oregon Department of Transportation on Highway 20 Expansion and County Projects– *Josh Wheeler, Public Works (Exhibit #1)*

Oregon Department of Transportation (ODOT) staff were present to discuss local HWY 20 projects. Brindle reviewed **Exhibit #1**, focusing her comments on safety issues, funded and unfunded projects, and scheduled work between mileposts 1 and 10.25 between Corvallis and Albany. She also noted that she serves on the Benton County Public Works Corvallis to Albany Bikeway Advisory Group.

Funded draft projects in the Safety Study are: \$8 million for improvements to the Children's Farm Home access, improvements to the Merloy Street and Granger Avenue intersections, and \$170,000 for signal upgrades. Unfunded safety projects are estimated to cost \$15 to \$25 million dollars. She also noted the projects that have been completed and the unfunded County bike lane project.

Discussion was held on steps taken to consider of the needs of the farmers who use HWY 20. Schuster commented that she had heard that farmers were trying to use the highway only at night for safety and to avoid traffic. Brindle and the Board held also held a lengthy discussion on the need for a Safety Corridor designation on the Highway. Brindle noted that a similar hazardous roadway in Lane County had been marked with mileposts in one-tenth increments to better enable public safety/rescue vehicles. The same could be done on HWY 20.

She asked a question that Wheeler requested ODOT pose to the Board: What would it take to expand HWY 20 from a two-lane road to a four-lane road?

Terry Kohl was present to discuss the feasibility of expanding the Highway into a four-lane road. He began by talking about the concept of backage roads, which are roads that allow egress and ingress from the highway. Backage roads are not on any project list, but are a very in-the-future possible project. However, much work would need to happen before it could even be considered with property owners and so on. The costs for such a project would be in the hundreds of millions of dollars. Discussion returned to the feasibility of a four-lane highway and constraints involved with that type of project: by-in from adjacent property owners, property acquisition, moving rail crossings, intersection realignments, etc. Work on such a project can only begin by determining if community support exists for such a thing and discussions of the need for such a project, challenges, alternative, constraints and funding, etc. Funding does not exist for such a project. After those determinations, an updated Transportation System Plan (TSP) would need to be completed at a cost of approximately \$5 million.

Wheeler reported that the new TSP process will begin this summer and should take approximately 18 months to complete. A series of meetings will take place and Linn County and the City of Albany will be included in the updating of the Plan.

4.2 Update on Housing Opportunities Action Council - *Shawn Collins (United Way); Brad Smith (Corvallis Housing First); Julie Manning (Samaritan); Tatiana Dierwechter (Heath Department) (Exhibit #2 & #3)*

Collins, from the Housing Opportunities Action Council (HOAC), updated the Commissioners and reviewed **Exhibits #2 and #3**. He began with a brief history and purpose of the HOAC, the complexity of homelessness issues and the extent of partnerships with other agencies. He gave a timeline of their goals for 2017 and discussed what lies ahead for HOAC. Community outreach and inventory of resources will be undertaken.

Manning expressed appreciation for Collins' position and noted that he was helping to fill many gaps that have existed. She also noted that Dierwechter had given a mid-point update to the Council and she said that Health is doing a good job with a very complex problem, they have a good grasp of the homeless situation in Benton County and are moving in the right direction. A need that was identified this winter was to provide health and care coordination support for both the men's and women's cold weather shelters, and access to health care services on a regular basis. Samaritan provided a nurse and navigator at the Daytime Drop-in Center at the First Christian Church site. The program is realizing good success having had 59 encounters the past month.

Smith reminded the Board said that the Cold Weather Shelter will close for the season on Friday. They served just under 200 individuals this season and have made some minor adjustments in their operations. No complaints were received and they had a volunteer on-watch outside and around the shelter to monitor for problems.

Corvallis Housing First is no longer in the men's shelter business. After closure on Friday night, the community will have 30 to 40 chronically homeless individuals who will need some type of shelter. Manning interjected that there is a group who has been meeting to assess needs, costs and options. Housing First will continue to operate the women's facility, but the City of Corvallis did not want them to operate a men's facility at the downtown location. Smith thought that that they responded correctly to the Corvallis' request to move the shelter. Public forums were held and were not well attended, but the meetings were good and productive. Placement of any new shelter must have access to services and be accepted by the community. He has seen shifts in the demographics, there are more new short-term people who have not been seen before. Use of the Women's Shelter was 60 to 70% higher than in the past. He also said they are seeing more severely ill people, who are more debilitated and have severe mobility issues. Emergency Medical calls have increased nearly 50%. Location will be a critical factor in the location of the shelter.

Discussion turned to the configuration of the Van Buren House. The facility has 18 bedrooms with 14 of those rooms used as singles. They are looking for this facility to be permanent, supported housing for people in transition. The current residents will stay until they are ready to leave, at which time, Housing First will have their programs in place to begin to bring people in. Funding will come from fund raising and rents from the residents. Smith discussed the need to be flexible enough in all housing models to meet individual needs and having a continuum of care throughout all agencies and programs. No system exists that allows agencies to share information about individuals. As an individual moves between agencies, each agency creates their own record for that person, who may have been seen by many other agencies. That creates redundancy, wastes resources, and is a barrier to services. Manning said that they are working on Legislation (SB 398A, client confidentiality release) that will allow information sharing.

Dierwechter handed out **Exhibit #4** (*Issues Surrounding Housing Insecurity & Homelessness*) and reported on the assessments and data sharing they have been working on. In response to an inquiry from Jaramillo, she said Health is doing outreach to rural communities. While they have more infrastructure now versus a year ago, they still lack the resources to implement much of what needs to be accomplished.

Augerot talked about the visibility of campers once the flooding recedes, especially now that the Men's Cold Weather Shelter has closed. Manning remarked that the Methodist Church will continue the Women's Shelter for the season. Smith said camping and closure of shelters is being address by the Corvallis City Council. He reminded all that tents and other shelters do not address homeless families and hopes that the County might be able to address use of trailer camping for transitional housing. In response to a question about duplication of services, Smith said when he began in his position he made the assumption that there were a lot of service duplications, but he has come to know that duplication is less of an issue than gaps in the system.

Aloia said there is a request from the City Corvallis to the County for shelter funding. He talked about his disappointment of putting tax dollars into a community issue when a viable solution was reached that did not include tax dollars. The money is only a temporary solution to the issue. The community was not happy with that solution and should own responsibility of the failure of that proposal and understand that they must be part of the solution. Without the foundation of the Men's Winter Shelter, the whole program is shaky.

Collins wanted to make sure that as systems are looked at, they need to be aware of successful existing agencies and not undercut those agencies; funding is limited in the community. Another critical problem Collins noted was identification recovery. It is a critical function that could be centralized or consolidated. That would be very helpful. Other needs were discussed as well as hopes of organizational changes that can happen as these initiatives move forward.

4.3 Discussion of SW 53rd Street Land Purchase – *Josh Wheeler and Laurel Byer, Public Works*

Wheeler was present to discuss the 53rd Street improvement to the overhead rail crossing project. A study was done in 1985 by the State of Oregon on Harrison Street to the Highway 20 corridor. Some of those projects in that study have been completed. However, an outstanding project is the overhead rail crossing. In the 1985 study the overhead rail crossing was assessed as a major problem that would take years to resolve; it is costly and needs much analysis, including projections of the traffic and growth in 20 years. The original projections predicted in the year 2000 the corridor would be at a maximum of 20,000 car use range. That capacity has not been reached. At peak hour in the area around Reservoir Road, the traffic is at 10,000 to 12,000 cars. The rest of the roadway is at 5,000 to 8,000. The rail passage is one-lane that cannot accommodate most trucks and needs to be fixed. The 1985 study listed three solutions: go over, go under, or go at grade. At that time it was determined that going over was the best solution.

Byer said that CAMPO allocated \$500,000 towards this project in 2005/2006. Money was not moved from those funds until about 2009. Out of those funds, another study was conducted, mostly

to look at emergent technology, of which raising the overpass was part of that study option. Raising the overpass is still a hugely involved project with cost being the biggest component, and an overpass has less ecological impact than an underpass. An open house was held in 2010 for discussion of the 53rd Street corridor, among other things, and a lot positive feedback arose from that meeting. The Board gave action in 2010 to move forward on the concept of an overpass, but the 53rd Street round-a-bout project pushed the over pass project back. The Board agreed that further public process should take place before the overpass concept is begun again.

Jaramillo said the land use component is the critical part of this project, regardless of the final solution. Wheeler noted that the at-grade solution is off the table. In response to the question of should the County be looking at what happens if the rail use changes later on, Wheeler replied that once the railroad signs off on the final design, any changes of their use will be their problem to solve. Wheeler then reviewed the property acquisitions and funding. The adjacent property owner, Mr. Lin, is selling 5.6 acres for an agreed upon \$470,000, and an easement agreement on the north side of the road with Oregon State University already exists. The existing road would remain in place during construction. If approval is granted to use \$130,000 of CAMPO dollars for easement to obtain the right-of-way, then they could complete proposed final design and construction plans and begin planning for fall community outreach to revisit the project. Aloia talked about future funding options.

MOTION: Jaramillo moved to acceptance of the right-of-way dedication for public road and utility purposes on SW 53rd Street for the Overpass Project be forwarded to the April 4, 2017 board of Commissioners meeting. Augerot seconded the motion, which **carried 3-0.**

V. (The chief purpose of “Information Sharing” items is to allow the Board of Commissioners time and a venue to update one another of their individual activities.)

5.1 Anne Schuster, Chair

- A. Courthouse Security, Sheriff Jackson reporting – Sheriff’s Office has staffing issues at the Courthouse. They have looked at using private security, but private security does not have the same authority as Deputies, namely making arrests, so they are looking at partnering one private security person with one Deputy. That will allow the second Deputy to stay in the jail 70% of their time. Courthouse Security funds are sparse. Jackson will return to the Board later with more information.
- B. Aloia and Jackson reported on Jail bed funding – Aloia said that he has reluctantly gone along with Jackson’s budget request and knows that Jackson had little choice in his proposal, but noted that Jackson’s request compromises the Sheriff’s budget. Jackson said that Columbia and Wasco counties are offering cost reductions for inmate housing, but those facilities are so far away; he is hoping to find a good solution at closer facilities, but understands that that may cost up to \$25/per inmate more to house. He is still looking and researching. He will come back next month with recommendations.
- C. Home Detention - Jackson said he is getting pressure to implement a home detention program, and he is in favor of that option. Costs are running around \$50 to \$90/day for ankle bracelets. He would like to try the program.
- D. Cross Laminated Timber (CLT) – Schuster attended a Portland summit hosted by the Governor on this topic. Possible policy changes were discussed that would enable greater flexibility in the use of CLTs in construction that could realize a reduction in carbon emission. The potential for affordable housing is great. More research needs to take place in order to validate the feasibility of the uses, and Oregon State University is conducting lots of research on the product.

5.2 Xanthippe Augerot, Commissioner

- A. Community Wildfire Protection Plan and HB 360 – HB 360 is an unfunded mandate under the jurisdiction of the Oregon Department of Forestry (ODF) and ODF is not implementing the plan because there is no funding. ODF supports the program as much as they can. Benton County’s plan was finalized in 2016 and Augerot wants to make sure that the program stays viable through staff changes, that community outreach continues and public education becomes part of the County’s culture. Aloia reminded the Board that previous funding for the program no longer exists. Augerot will be meeting with Verret this week and will discuss the County’s options. She will assure that the program remains active.

5.3 Annabelle Jaramillo, Commissioner

- A. Transportation – This item was updated earlier in the meeting.
- B. Corvallis-2-Sea Trail – The Trail will be opening soon and noted there have been past issues on Old Peak Road. The Sheriff has assured all that the area will be patrolled regularly and there should not be any problems.
- C. Bureau of Land Management (BLM) planning rules - President Trump has rolled back the rules which will probably affect forestry rules. She discussed the implications of the changes. BLM Resource Advisory Councils will be held in tact, but the scope of their duties will change.

5.4 Dennis Aloia, Chief Operating Officer

- A. AFSCME Negotiations – They held two AFSCME sessions and one ONA session. The AFSCME team is all new and they are having good progress. They hope to be completed by the end of June. Pay for performance will be core to the discussions.
- B. Criminal Justice Study Review Team – The study is now out and a pre-bid meeting is scheduled for April 5. Aloia asked the Commissioners to consider compiling a team(s) to evaluate minimum qualifications and make a recommendation and presentation to the Board of the final three consultants. Another duty for the proposed team(s) would be to review the submitted applications and make a recommendation to the Commissioners. He suggested the following individuals serve as the core of the Team: District Attorney, Sheriff, a Judge, Corvallis Chief of Police, a Commissioner and the Health Administrator. The Board discussed the addition of a mental health professional and acknowledged that others could be added to the Team, but should comprise of mainly policy makers at this time. Aloia will staff the Team. Augerot agreed to serve in the Commissioner position. Schuster will make the invitation calls to the various people. Time commitment should be no longer than a day or two all told, and their personal time to review the information. Selection of applicants begins in early May with the final selection in August.
- C. The Budget was completed last night; Commissioners will to receive a copy next Friday. Aloia recapped some of the high lights of the coming budget. There is \$700,000 of discretionary money for the Board to apply to about \$900,000 worth of requests. It is a maintenance is budget with no new added positions.

VI. Other

Schuster adjourned the meeting at 12:52 p.m.

Anne Schuster, Chair

Teresa Farley, Recorder
Margaret Kotyo, Transcriber

MINUTES

BENTON COUNTY BOARD OF COMMISSIONERS

Tuesday, April 25, 2017
Board of Commissioners Office
9:00 a.m., Board Meeting Room
205 NW 5th Street, Corvallis, Oregon

Present: Anne Schuster, Chair; Xanthippe Augerot, Vice Chair; Annabelle Jaramillo, Commissioner; Dennis Aloia, Chief Operating Officer

Guests: Caroline Cummings, Venture Catalyst, RAIN; Heather DeSart, Northwest Oregon Works; Fredrick Edwards, NAACP; John Friedlander, Fred Abousleman, Cascade West Council of Governments (COG); Lauren Urey

Staff: Teresa Farley, BOC Recorder; Lili'a Neville, Public Information Officer; Jaime Sarabia, Board of Commissioner Intern

Chair Schuster opened the meeting at 9:05 a.m.

I. Opening:

A. Introductions

B. Announcements

There were no announcements.

II. Comments from the Public

There were no comments offered.

III. Review and Approve Agenda

IV. Work Session

4.1 Update from Regional Area RAIN – Caroline Cummings

Cummings presented on recent RAIN activities and reviewed **Exhibit #1 “RAIN Oregon Update to Benton County Board of Commissioners”**. RAIN is the entrepreneurship branch of economic opportunities and Lane, Linn, Lincoln and Benton County are Cummings jurisdiction. Seventy-two companies have gone through their training since mid-2013 and supporting data on start-ups was given. Almost 100% of the job growth in the United States have come from start-up businesses.

The next Angel Conference will be May 11 at the Whiteside Theater. She cited the last two winners of the past Conference and highlighted their successes. A new fund named W2 has been created, which will be use to invest in start-up companies. The Governor is very supportive of the RAIN program and has earmarked \$500,000 for start-up funding. NPR's Market Place has been following Corvallis' start-ups for the past year along with two other cities in the United States. Fifty-three percent of the start-ups are coming from Oregon State University, while 47% are from communities outside of the University. Benton County has a very vibrant incubator program, and she thanked the Board for their support.

Jaramillo asked about diversity in RAIN programs. Cummings said they are not where they should or want to be, and they are working on improving their inclusion. Jaramillo commented that regional transportation will be a consideration as these companies grow. Cummings said that Marc Manley, Executive Director, has responsibility for those issue, and he also is looking at housing and poverty levels.

Schuster asked about connections Cummings was making with the City of Monroe, and Jackson Street Youth shelter to align kids with jobs. Schuster also talked about emergent opportunities

around cross laminated timber (CLT) and Hewlett-Packard. Cummings asked for Commissioners to continue to pass along any ideas or concerns they have.

Augerot asked what the County could do to help retain and keep businesses in Benton County. Cummings said they are interested in growing and keeping businesses in the area counties, so they are interested in the issue.

4.2 Update on Northwest Oregon Works – *Heather DeSart, Executive Director*

DeSart, Executive Director Northwest Oregon Works formerly known as the Northwest Oregon Investment Board, covers Columbia, Clatsop, Tillamook, Lincoln and Benton County's. They work with the Work Force Centers, of which there is one in Benton County. In the past only Linn and Benton Counties were connected. They are development Boards and not investment Boards and composition of their Boards are federally mandated. She was present to offer updates on the changes and answer questions. Department of Labor disburses their funds through a Request for Proposal process. She gave an extensive overview of their programs and services.

4.3 Update on National Association for the Advancement of Colored People (NAACP) - *Fredrick Edwards, President*

Edwards introduced himself and thanked the Commissioners for attending their meetings and extending invitations. In his update he made note that NAACP is experiencing a big growth spurt, and are in the process of developing a series of workshops and a library to assist the community in accessing resources in building relations, conflict resolution and education programs. As all things, funding will move these initiatives forward and NAACP looks forward to partnering with Benton County.

Jaramillo talked about the County's Advisory Committees and would like NAACP to partner with the County to open more resources. Farley noted that NCAA would be added to the County's contact list. Jaramillo was also interested in putting other advocacy groups together, and Edwards was open to the idea of coming together with other community groups.

Loreen Urey thanked the commissioners and county for requiring equity in all County policies. In response to Augerot's question about what the County is missing, Urey replied, that the County is on the right track, but gathering and disseminating information is key. Jaramillo added that there is a need for ambassadors in the community, and she offered herself as a resource to assist with committees. She also mentioned that the Sheriff's Office is working on data collection to improve their services.

Aloia said the County will need input in the upcoming Request for Proposal (RFP) for the Criminal Justice System. He gave an overview on the upcoming RFP process and the County's 2040 initiative and how those enterprises will tie together. There will be ample opportunities for the NCAA to contribute and participate in those activities, especially around equity. Edwards asked Aloia to be sure that hate crime data is contained the RFQ.

Urey said they are having conversations with Mayor Trabor about where the issue of addressing hate speech resides, how it impacts students, how it is looked at and how to deal with it. The lack of a City Omsbud person concerned her because there is no reporting conduit. Jaramillo offered her perspective on Omsbud positions, based on her past experience working as an Omsbud person. Her view was that those positions have built-in failure because the responsibility of solving a problem falls solely upon one person to solve an organizations issues. Schuster pointed out that Sean McGuire, the County's Sustainability Coordinator who also serves on the Corvallis School District's committee, could add hate speech as an area to track under the sustainability umbrella. Edwards said there is much going on in Corvallis and Albany and it is growing quickly; he doesn't have the resources to keep up with everything. He is mostly asking for help with accessing community resources.

Urey asked about Cascade West Council of Government's (COG) equity initiatives. Abouselman outlined COG's programs, and noted that accessibility to services is an issue that they work on.

Their services are available to all in the community. In response to a question about data collection, specifically regarding minority owned businesses, Abouselman replied that said COG is working on that. Access to that specific information is difficult to obtain, but they do collect data and would like to talk to NCAA about the types of information they would be interested in having COG collect.

Discussion about what needs the community has and how NCAA can provide those resources. Aloia thought that education about the Black Experience is still something that the community needs. Schuster pointed out that anything the County needs to improve upon, NCAA needs to let the County know. Other community events and resources were discussed.

V. *(The chief purpose of “Information Sharing” items is to allow the Board of Commissioners time and a venue to update one another of their individual activities.)*

5.1 Anne Schuster, Chair

- A. Solar Eclipse Update – She has been attending meetings on the eclipse. Philomath Frolic Rodeo is providing 850 camping spots, and Visit Corvallis is keeping track of events. City Council President, Barbara Bull, is asking Corvallis for an accounting of the Hotel/Motel tax and where those dollars go.
- B. Housing Update – She has met with Corvallis School District, OSU and Corvallis about the 50 acres on Brooklane. There is a lot of interest and she is waiting to hear back from the School District on their interest. She will keep the Board apprised of any activity on the property.
- C. IHNCCO (Intercommunity Health Network Coordinated Care Organization) First Meeting – She found the meeting to be very interesting. They talked about a requirement from the State to look at mental health, and housing requirements will be on a future agenda. These meeting are not required to be public meetings, but there is talk that they may soon become public meetings.
- D. March for Science Update – She said she was proud to be able to mention at the conference that all three of the Benton County Commissioners had scientific backgrounds.

5.2 Xanthippe Augerot, Commissioner

- A. Association of Oregon Counties (AOC) – AOC had a table that showed each County’s ratio of staff to County population. Benton County’s ratio was 1:202, which puts Benton County in the middle of the pack. Aloia said the number includes the people who support the Federal Clinics, which without those numbers would make Benton County’s numbers even lower. Schuster asked about the significance of the numbers. Augerot said they can validate that the County is not over spending resources, and that Benton County is not oversized with government as compared to other Oregon Counties. Linn County’s ratio is 1:169.
- B. Chamber Liaison Activity – She has been attending meetings twice a month, and the Chamber is appreciative having a county representative attend.
- C. Fairgrounds Bleachers – The Fair Board agreed that they would not be using the old dilapidated bleachers, nor investing in other bleachers for now. Discussion was whether to hold the rodeo, rent bleachers, and so on. The rodeo runs at a deficit, so a decision remains on what to do about that. McGee, Fair Manager, suggested that the rodeo be held at the Frolic Grounds. Problems with that proposal would be security and liability. Fair Board Conversation continues.
- D. Preliminary Arena Floor Design – Fair Board decided to move ahead with the preliminary arena design which includes revamp of the floor and other amenities to create suitable exhibit and conference space. Negotiations with the Fair Foundation on costs

- continue. The Fair Board and others were not willing to spend more money on a new Plan, rather to thoroughly review the existing master plan and determine what is complete, what is still valid. Review of the Plan will be completed by June 30.
- E. Reviewed of the Memorandum of Understanding (MOU) between County and Fair Board – Current MOU calls for a County Commissioner to sit on the Board. It would make sense, because of Fair Board financial discussions, to have a Commissioner as a sitting board member.
 - F. Fair Foundation – Aloia began by saying that the Foundation holds a special place in people’s hearts. He gave numbers on the level of support to the fairgrounds: the Foundation added \$212,000 into the 2007 budget which includes in-kind monies; the County added \$1.805 million towards improvements. He would like the Fair Board to have these numbers and would like the County to get better recognition of their contribution. The Commissioners noted that volunteer numbers and in-kind services were not included in the County’s figures. Aloia will validate the numbers.
 - G. Horse Arena – It was clear in moving forward with the preliminary design that there will no longer be an indoor arena. Someone spoke up after the meeting and suggested that perhaps the rodeo area could be covered. Horses cost the County money, but agreed options for the 4-H horse groups’ needs to be reviewed. McGee continues to look at options.
 - H. Sustainability Coalition Meeting – The County will be participating in the *Get There, Drive Less* campaign again and Neville will be putting registration information on social media. Collected data could bring grant money into the County.
 - I. The Downtown Corvallis Association – Their agreement is up for renewal. A fee is levied on downtown businesses and must go out for a vote again.
 - J. Government Affairs meetings – Benton County is willing to participate after Corvallis finishes their rotation.
 - K. Visit to NORCOR (Northern Oregon Corrections) facility, Wasco County – Augerot and Neville visited this facility in The Dalles. Augerot talked about their programs and costs of the corrections facility. Both were impressed with the facility.

5.3 Annabelle Jaramillo, Commissioner

- A. Transportation – Andy Olsen had inquired about the intended use of the old Van Buren Street Bridge. She will share information from ODOT with Olsen about the bridge.
- B. Legislation update – There is a proposal to terminate Federal law enforcement on Federal lands and make block grants available back to the states to provide those services. That likely means the responsibility will be put back to the Counties without funding.

Planning rules – Revamping the process of public input to improve services which means more Legislation.

5.4 Dennis Aloia, Chief Operating Officer

- A. Labor Negotiations – They are going well. AFSCME finished up with the non-economic parts of the contract and are now talking about health insurance options. Insurance discussions will continue until next Friday. At issue now is Pay for Performance, Aloia told AFSCME if they were not ready to move forward yet that was okay, but pointed out that they could not expect the same pay increases without a Pay for Performance program. Another point of debate was Retirement Health Savings Accounts. About three years ago, prior to Aloia’s tenure, these accounts were set up for AFSCME employees with a cost to the County of about \$1.2 million dollars. The program ended mid-contract for unknown reasons. AFSCME was notified in writing that the program

was expiring, but did not answer and took no action, so the program ended. Members were angry at the time and now are wanting the benefit reinstated.

- B. Avery Property – He is meeting tomorrow with the City Manager and City Attorney regarding the Avery property. He is asking the City to come forward with completed plans before responding with a proposal.
- C. Linn County and regional economic development - He and Schuster have been meeting with Linn County economic development people about the possibility of doing economic development regionally. The thought would be to have specific areas and people focused on target partners. The City came back with a different interpretation wherein everyone would have economic development in their communities controlled and managed by them, and COG would be the overseeing agency with support services. Schuster said Corvallis is working on developing a downtown revitalization initiative. Aloia told them that regionalization is important, but thought it might be a response to dissatisfaction with the current level of support. As long as Corvallis provides the services it will remain compartmentalized. Schuster and Aloia have been talking about different regional models. Benton County is the only organization in the State that does not have a regional organization. Discussion was held on available funds and potential staffing of a new model.
- D. Transportation District – Aloia had talked to the City of Corvallis about a transportation corridor between Corvallis and Albany, Augerot added she has held conversations on the same topic and they have also discuss adding Lebanon and Philomath into the corridor. This item was a heads-up that these conversations will carry forward. The Board and Aloia agreed that CAMPO (Corvallis Area Metropolitan Planning Organization) and AMPO (Albany Area Metropolitan Planning Organization) were better suited for these conversations.

VI. Other

Farley talked to the Board about scheduling and Board calendars and how they wanted staff to deal with changes.

Board directed staff to invite Visit Corvallis to a work session to talk about how hotel and visitors tax money is designated.

The Request for Qualifications was completed and they must interview three submission and only three were received, Aloia reported.

Schuster adjourned the meeting at 12:46 p.m.

Anne Schuster, Chair

Teresa Farley, Recorder
Margaret Kotyo, Transcriber

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
 (Page 1 of 2)

Item #
5.1

This document must be completed for each agenda item submitted for consideration by the Board of Commissioners at any meeting where a Board quorum is expected.

Suggested Placement for this Agenda Item:

- BOC Tuesday Meeting
 Other: _____

Suggested Agenda Date: September 4, 2018

Department Submitting: Board of Commissioners

Short Title of Agenda Item: **In the Matter of Proclaiming September 15 - October 15 as Hispanic Heritage Month in Benton County**

Contact Person: Jonna Ve Stokes

Phone Extension: x 6852

Person Attending BOC Meeting (REQUIRED):

~~Xan Augerot~~ James Morales

Person(s) Who Should Receive Signed Documents

After Meeting: **Recorder**

This Item Involves: (Check all that apply for this meeting.)	
<input checked="" type="checkbox"/> Order/Resolution/Proclamation	<input type="checkbox"/> Appointments
<input type="checkbox"/> Ordinance/Public Hearing:	<input type="checkbox"/> Update on Project/Committee
<input type="checkbox"/> 1st Reading <input type="checkbox"/> 2nd Reading	<input type="checkbox"/> Discussion Only
<input type="checkbox"/> Public Comment Anticipated:	<input type="checkbox"/> Discussion & Action
Estimated Time	10 min. Estimated Time
<input type="checkbox"/> Document Recording Required	<input type="checkbox"/> Special Report:
<input type="checkbox"/> Contract/Agreement	<input type="checkbox"/> Oral <input type="checkbox"/> Written

If appropriate, have Boards/Committees been involved?

- Yes No Not Applicable

If yes, address under Salient Issues, page 2.

If appropriate, has this agenda/item been advertised?

- Yes No Not Applicable

Names of Publications _____

Dates of Publication: _____

Reviewed By: (Signature and Date Required)

_____	DATE	Department Head	Required for all BOC meetings
_____	DATE	County Administrator	Required for all BOC meetings
_____	DATE	County Counsel	Required for all legal documents
_____	DATE	Budget Office	If appropriate
_____	DATE	Human Resources	Required for all personnel actions
<u>J. Stokes</u>	<u>8-30-18</u>	BOC Administration	Required for all BOC meetings

Provide one original and send an electronic copy.

DO NOT USE STAPLES!

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
(Page 2 of 2)

DATE OF MEETING:

September 4, 2018

TITLE OF AGENDA ITEM:

In the Matter of Proclaiming September 15 - October 15 as Hispanic Heritage Month in Benton County

IDENTIFIED SALIENT ISSUES:

The State of Oregon and jurisdictions throughout the United States recognize September 15 to October 15 as Hispanic Heritage Month. This observance is intended to increase the cultural awareness and broaden understanding about the Hispanic population and to continue the progress toward improved opportunities and circumstances.

Hispanic residents of Benton County contribute to the community in the areas of business, science, art and education. The Hispanic population actively participates in the community and adds to the quality of life in Benton County through the sharing of their cultural heritage and historical legacy.

OPTIONS:

- 1) Issue the Proclamation
- 2) Do not Issue the Proclamation

FISCAL IMPACT:

None

STAFF RECOMMENDATIONS:

Staff recommends approval of this Proclamation.

SUGGESTED MOTION(S):

I move to proclaim that September 15 to October 15 is Hispanic Heritage Month in Benton County and encourage all staff and residents to join in this observance.

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

In the Matter of Proclaiming)
September 15 to October 15) **PROCLAMATION P2018 – 016**
Hispanic Heritage Month)
in Benton County)

During National Hispanic Heritage Month, we pause to celebrate the immeasurable contributions these individuals have made to our Nation -- from its inception to its latest chapters; and

Hispanics have overcome great obstacles to persevere and flourish in every sector of our society. With enduring values of faith and family, hard work and sacrifice, Hispanics have preserved the rich heritage of generations past while contributing mightily to the promise of our Nation; and

With a national theme of "*One Endless Voice to Enhance our Traditions*," the observance celebrates the histories, cultures and contributions of Americans who trace their roots to Spain, Mexico, the Caribbean and Central and South America.

This month, we honor Hispanics for enriching the fabric of America, even as we recognize and rededicate ourselves to addressing the challenges to equality and opportunity that many Hispanics still face. In reflecting on our Nation's rich Hispanic heritage, let us take pride in our unique and vibrant history, and recommit to a shared future of freedom, prosperity, and opportunity for all.

THEREFORE, BE IT HEREBY PROCLAIMED that September 15 to October 15, 2017, is Hispanic Heritage Month in Benton County and encourages all residents to join in this observance.

Adopted this 4th day of September, 2018.

Signed this 4th day of September, 2018.

BENTON COUNTY BOARD OF COMMISSIONERS

Xanthippe Augerot, Chair

Annabelle Jaramillo, Commissioner

Anne Schuster, Commissioner

**ANTE LA JUNTA DE COMISIONADOS DEL CONDADO PARA EL ESTADO
DE OREGÓN, PARA EL CONDADO DE BENTON**

**Con respecto al asunto de Proclamar)
del 15 de septiembre al 15 de octubre) PROCLAMACIÓN P2018 – 017
como Mes de la Herencia Hispana)
en el Condado Benton)**

Durante el Mes Nacional de la Herencia Hispana, nosotros celebramos las incalculables contribuciones que estos individuos han hecho para nuestra nación – desde su comienzo hasta el presente; y

Los hispanos han vencido grandes obstáculos para perseverar y prosperar en cada sector de nuestra sociedad. Con valores perdurables en su fe y su familia, el trabajo arduo y sacrificio, los hispanos han conservado el abundante patrimonio de pasadas generaciones y han contribuido poderosamente a la promesa de nuestra nación; y

Con un tema nacional: *"Una interminable voz para resaltar nuestras tradiciones,"* esta festividad celebra las historias, culturas y contribuciones de americanos que rastrean sus raíces a España, México, el Caribe, América Central y América del Sur.

Este mes, nosotros honramos a los hispanos por enriquecer la estructura de América, incluso al reconocer y re-dedicarnos al asunto de abordar los desafíos que muchos hispanos aún enfrentan en cuanto a igualdad y oportunidades. Reflexionando en la abundante herencia hispana que existe en nuestra nación, tomemos orgullo en nuestra historia única y vibrante, y volvamos a comprometernos a un futuro compartido en libertad, prosperidad, y oportunidades para todos.

POR LO TANTO, POR ESTE MEDIO SE PROCLAMÓ que del día 15 de septiembre al día 15 de octubre del año 2017 es el Mes de la Herencia Hispana en el Condado Benton y se invita a todos los residentes a unirse a esta observancia.

Adoptado este día 4 de septiembre del año 2018.

Firmado este día 4 de septiembre del año 2018.

JUNTA DE COMISIONADOS DEL CONDADO BENTON

Xanthippe Augerot, Presidente

Annabelle Jaramillo, Comisionada

Anne Schuster, Comisionada

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
 (Page 1 of 2)

Item #
5.2

This document must be completed for each agenda item submitted for consideration by the Board of Commissioners at any meeting where a Board quorum is expected.

Suggested Placement for this Agenda Item:

- BOC Tuesday Meeting
 Other: _____

Suggested Agenda Date: September 4, 2018

Department Submitting: Board of Commissioners

Short Title of Agenda Item: **In the Matter of Proclaiming September 17, 2018 as Constitution Day in Benton County**

Contact Person: JonnaVe Stokes

Phone Extension: x 6852

Person Attending BOC Meeting (REQUIRED):
Xan Augerot

Person(s) Who Should Receive Signed Documents After Meeting: **Recorder**

This Item Involves: (Check all that apply for this meeting.)	
<input checked="" type="checkbox"/> Order/Resolution/Proclamation	<input type="checkbox"/> Appointments
<input type="checkbox"/> Ordinance/Public Hearing:	<input type="checkbox"/> Update on Project/Committee
<input type="checkbox"/> 1st Reading <input type="checkbox"/> 2nd Reading	<input type="checkbox"/> Discussion Only
<input type="checkbox"/> Public Comment Anticipated: Estimated Time	<input checked="" type="checkbox"/> Discussion & Action 10 min. Estimated Time
<input type="checkbox"/> Document Recording Required	<input type="checkbox"/> Special Report:
<input type="checkbox"/> Contract/Agreement	<input type="checkbox"/> Oral <input type="checkbox"/> Written

If appropriate, have Boards/Committees been involved? Yes No Not Applicable


If yes, address under Salient Issues, page 2.

If appropriate, has this agenda/item been advertised? Yes No Not Applicable

Names of Publications _____

Dates of Publication: _____

Reviewed By: **(Signature and Date Required)**

- | | | |
|---|----------------------|------------------------------------|
| _____ | Department Head | Required for all BOC meetings |
| <i>DATE</i> | | |
| _____ | County Administrator | Required for all BOC meetings |
| <i>DATE</i> | | |
| _____ | County Counsel | Required for all legal documents |
| <i>DATE</i> | | |
| _____ | Budget Office | If appropriate |
| <i>DATE</i> | | |
| _____ | Human Resources | Required for all personnel actions |
| <i>DATE</i> | | |
|  | BOC Administration | Required for all BOC meetings |
| <u>8-30-18</u> | | |
| <i>DATE</i> | | |

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AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
(Page 2 of 2)

DATE OF MEETING:

September 4, 2018

TITLE OF AGENDA ITEM:

In the Matter of Proclaiming September 17, 2018 as Constitution Day in Benton County

IDENTIFIED SALIENT ISSUES:

Our founding fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a constitution for the United States of America and signed it on September 17, 1787.

The Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses shall be added and which subsequently became known as the Bill of Rights (Amendments 1 – 10, December 15, 1791).

Citizens are urged and encouraged to reflect on the benefits of our Constitution, the Bill of Rights and subsequent Amendments and the privileges and responsibilities of American Citizenship.

OPTIONS:

- 1) Issue the Proclamation.
- 2) Do not Issue the Proclamation.

FISCAL IMPACT:

None

STAFF RECOMMENDATIONS:

Staff recommends approval of this Proclamation.

SUGGESTED MOTION(S):

I move to proclaim that September 17, 2018 is Constitution Day in Benton County and encourage all staff and residents to join in this observance.

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

In the Matter of Proclaiming)
September 17, 2018, as Constitution Day) **PROCLAMATION P2018-018**
in Benton County)

Our founding fathers, in order to secure the blessings of liberty for themselves and their posterity, did ordain and establish a constitution for the United States of America and signed it on September 17, 1787; and

The Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses shall be added and which subsequently became known as the Bill of Rights (Amendments 1 – 10, December 15, 1791); and

Subsequent amendments enacted throughout the years strengthened the rights of citizens and insured their right to vote; and

Amendment XIII declared that neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to its jurisdiction (December 18, 1865); and

Amendment XIV, Section 1 declared that all persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny any person within its jurisdiction the equal protection of the laws (July 28, 1868); and

Amendment XV declared the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude (March 30, 1870); and

Amendment XIX declared the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex (August 20, 1920); and

Amendment XXIV declared the right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax (January 23, 1964); and

Amendment XXVI declared the rights of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age (July 1, 1971); and

It is of great importance that all citizens fully understand the provisions and principles in the Constitution, the Bill of Rights and subsequent Amendments; and

The 231st Anniversary of the signing of the original Constitution provides an opportunity for all Americans to reflect on the rights and privilege of citizenship, as well as its responsibilities;

NOW THEREFORE, BE IT PROCLAIMED that September 17, 2018 is recognized as Constitution Day in Benton County and citizens are urged and encouraged to reflect on the benefits of our Constitution, the Bill of Rights and subsequent Amendments and the privileges and responsibilities of American Citizenship.

Adopted this 4th day of September, 2018.

Signed this 4th day of September, 2018.

BENTON COUNTY BOARD OF COMMISSIONERS

Xanthippe Augerot, Chair

Annabelle Jaramillo, Commissioner

Anne Schuster, Commissioner

6.1



AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
(Page 1 of 9)

This document must be completed for each agenda item submitted for consideration by the Board of Commissioners at any meeting where a Board quorum is expected.

Suggested Placement for this Agenda Item:
[X] BOC Tuesday Meeting
Other:
Suggested Agenda Date: September 4, 2018
with follow up on September 18, 2018
Department Submitting: Health
Short Title of Agenda Item: 2017 Coffin Butte Landfill Operational and Capacity Report

Contact Person: Gordon Brown
Phone Extension: 6170
Person Attending BOC Meeting (REQUIRED):
Gordon Brown, Bill Emminger

Person(s) Who Should Receive Signed Documents After Meeting: Gordon Brown

This Item Involves: (Check all that apply for this meeting.)
Order/Resolution/Proclamation
Ordinance/Public Hearing:
1st Reading [] 2nd Reading []
Public Comment Anticipated:
Estimated Time
Document Recording Required
Contract/Agreement
Appointments
Update on Project/Committee
Discussion Only
[X] Discussion & Action
20 minutes Estimated Time
Special Report:
Oral [] Written []

If appropriate, have Boards/Committees been involved?
If yes, address under Salient Issues, page 2.
If appropriate, has this agenda/item been advertised?
Names of Publications
Dates of Publication:

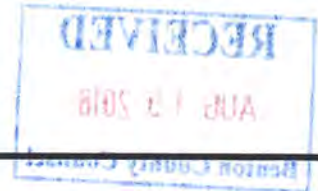
Reviewed By: (Signature and Date Required)

8-15-2018 Department Head Required for all BOC meetings
8/22/18 County Administrator Required for all BOC meetings
8-16-18 County Counsel Required for all legal documents
Budget Office If appropriate
Human Resources Required for all personnel actions
8/15/18 BOC Administration Required for all BOC meetings

MATERIALS ATTACHED MUST BE "CAMERA READY"
Provide one original and six copies of documents larger than 8 1/2 X 11",
or documents in color that must be available to the Board in color

DO NOT USE STAPLES!

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
(Page 2 of 9)



DATE OF MEETING:

September 4, 2018

TITLE OF AGENDA ITEM:

2018 Coffin Butte Landfill Operational and Capacity Report

IDENTIFIED SALIENT ISSUES:

In accordance with the terms of the landfill franchise agreement, Republic Services has submitted the enclosed 2017 Coffin Butte Landfill & Pacific Region Compost Annual Report (Attachment #1). The report was reviewed by the Solid Waste Advisory Council (SWAC) at the June 27, 2018 meeting. SWAC recommended accepting the report by a vote of 5 to 0 with 2 members absent.

In past reviews, staff identified six primary items to focus on:

1. Landfill capacity including compaction rates.
2. Sources and tons of waste.
3. Environmental impacts.
4. Baseline study update.
5. Consumer complaints.
6. An increase in construction and demolition (C & D) waste materials.

Landfill Capacity

The reported capacity at the end of 2017 was 33 years (page 1 of the report). This assumes a disposal rate of 528,000 tons per year, and an effective density (compaction rate) of the landfilled waste of 0.80 tons/cubic yard (cy).

Effective densities can have a significant effect on the capacity of the landfill. The reported effective density of 0.80 tons/cy at Coffin Butte Landfill is conservative. The three-year average density is greater and will extend the capacity accordingly.

Landfill capacity should be a critical component of franchise renewal negotiations. Assuming another franchise renewal for 20 years and the given capacity of 33 years, negotiations need to be aware that there will not be another 20 year franchise renewal after the year 2040.

Sources and Tons of Waste

The reported 941,430 tons of waste for 2017 (pages 1 and 5) represents an increase of 70% in the amount of waste landfilled from the previous year (552,979 tons) for 2016.

Figure 1 shows the tons of waste by county of origin for the past five years. The majority of the waste for 2017 came from Washington County at 294,778 tons followed by Benton County at 146,199 tons. Forty-four thousand (44,000) tons of the Benton County waste came from the fuel spill on Highway 99W near the landfill. The contaminated soil was treated, tested, and approved by DEQ prior to landfilling.

When the sources of waste are examined by region, the majority of the waste in 2017 came from the Portland Metro counties (Figure 2). This was a sharp increase and Benton County should be prepared for the possibility of this trend to continue.

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
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The reported total number of vehicles at the landfill for 2017 increased by 26% from 2016 to 113,381. (Figure 3)

Environmental Impacts

Environmental impacts are closely monitored by the Oregon Department of Environmental Quality (DEQ). The Summary of Landfill Environmental Monitoring report on page 3 of Attachment 1 is a summary of the comprehensive reports that are submitted to DEQ.

Water Quality Report

Tetrachloroethene (PCE) was detected at less than 2.0µg/L in monitoring well (MW) 12S and continues in a downward trend. The detection remains below the water quality standard of 5.0 µg/L.

MW 12S is a shallow well at the foot of one of the older, closed landfill cells. The concentration of PCE in MW 12S appears to have peaked in 2005 at less than 30 µg/L and continues to diminish.

Air Emissions

Air emissions generated at Coffin Butte Landfill were reported to be below plant site emission limits (PSELs) allowed under their Title V Operating Permit.

Odor Notices

There were no landfill odor notifications by members of the public in 2017. For comparison there were two (2) each in 2016 and 2015, five (5) in 2014 and seven (7) in 2012. A table summarizing the number of odor notifications is included on page 4 of Attachment 1.

Odor notices pertaining to the PRC in 2017 were reduced to 26 compared to 73 in 2016. A summary of PRC odor notices is on page 9 of Attachment 1.

Baseline Study Update.

Section 8, Impacts of Waste Volume of the Coffin Butte Landfill franchise agreement specifies waste tonnage limits after which Benton County may elect to update the Base Line assessment of the landfill. For the first time under the current franchise agreement, tonnages exceeded these limits, and by a large margin. (Figure 4).

Benton County should be aware of events that could make more waste available for disposal at Coffin Butte. Some potential events are:

- a. Closure of other disposal facilities. The closure of Riverbend Landfill in Yamhill County will very likely occur in two (2) years or less leaving Coffin Butte Landfill as the last remaining regional disposal site in Northwest Oregon.
- b. Population growth.
- c. Changes to the Portland Metro Designated Facility Agreement with Coffin Butte Landfill.
- d. Natural or manmade disasters that would require cleanup of debris materials.

Environmental Trust Fund/Pollution Liability Insurance

The Environmental Trust Fund balance on December 31, 2017 was \$11,312,290. Republic Services has purchased additional pollution liability insurance (currently at \$5,000,000) to maintain a minimum balance of

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
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\$10,000,000 between the trust fund balance and insurance coverage. Benton County is named as an additional insured party. A copy of the certificate of insurance is included in Appendix C of Attachment 1.

Customer and Citizen Complaints

No customer complaints pertaining to the Pacific Region Composting facility were cited by Republic Services for 2016. Five were logged for the landfill. A table summarizing the complaints is on page 7 of Attachment 1.

Construction and Demolition Debris

Figure 5 shows an increase in construction and demolition (C & D) waste for Benton County. In 2009, C & D materials constituted 6% (less than 4,000 tons) of Benton County's waste disposal. By 2017 that portion had increased to 7% or 10,464 tons.

NEXT YEAR (2018) DATA

Staff's review of the 2018 data should focus on the following primary areas:

1. Landfill capacity including reported compaction rates.
2. Tons and sources of waste.
3. Environmental impacts.
4. Baseline Study Update.
5. Consumer complaints.
6. Construction and demolition debris.

OPTIONS:

- 1) Accept the Coffin Butte Landfill & Pacific Region Compost Annual Report for 2017 as meeting the requirements for annual operations and capacity reports.
- 2) Reject the report and provide direction to staff.

FISCAL IMPACT:

There should be no fiscal impact to the county, other than staff time, regardless of whether or not the report is accepted or rejected.

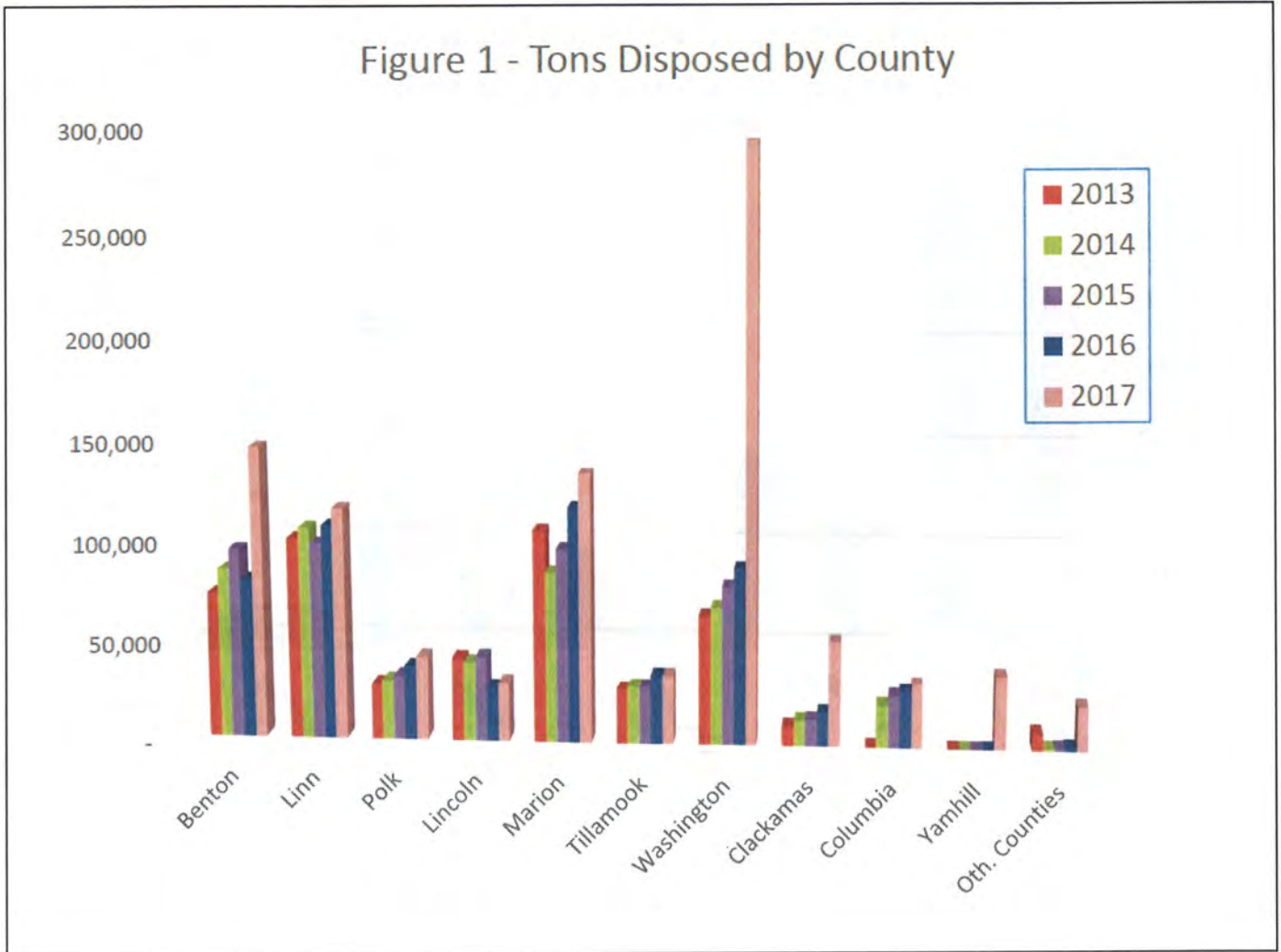
STAFF RECOMMENDATIONS:

Staff recommends that the report be accepted as meeting the requirements for annual Operations and Capacity Report for Coffin Butte Landfill.

SUGGESTED MOTION(S):

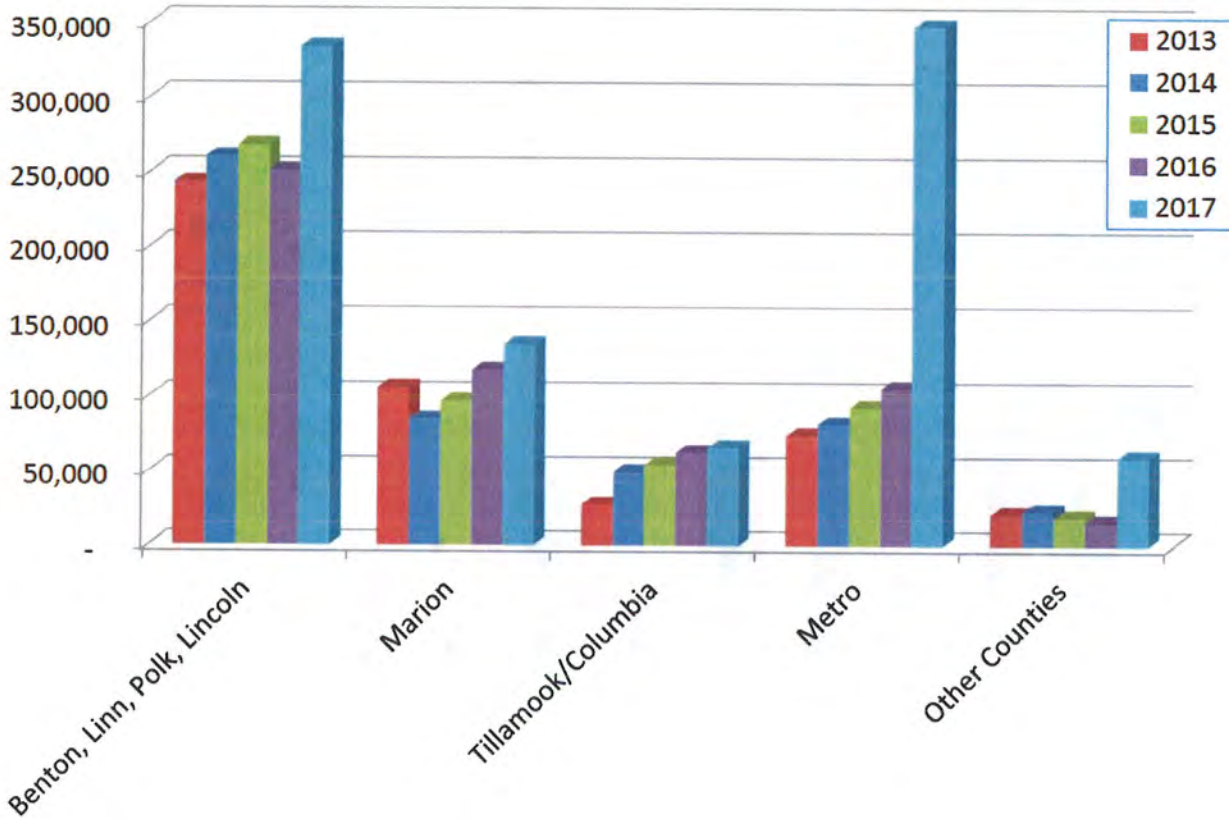
I move to accept the Coffin Butte Landfill & Pacific Region Compost Annual Report for 2017 as meeting the requirements for both an annual Operational Report and an annual Capacity Report for Coffin Butte Landfill.

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
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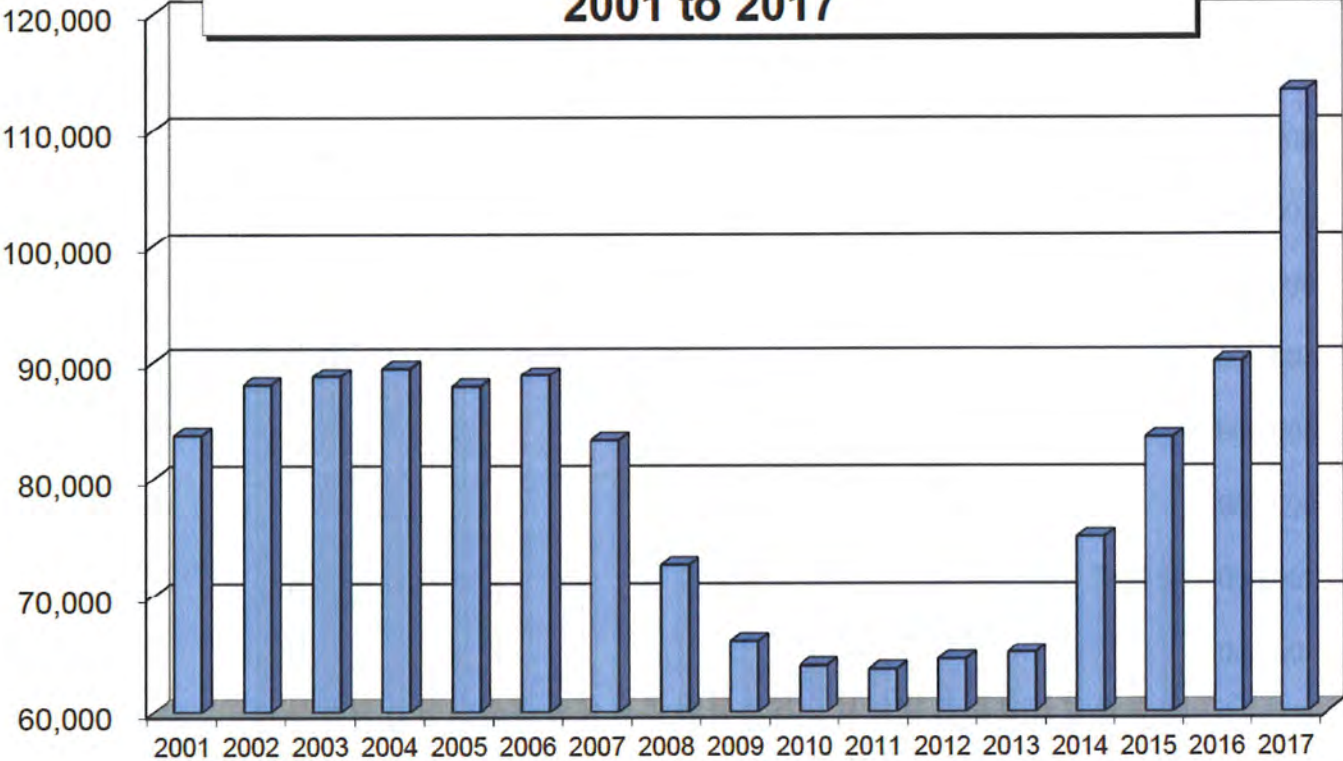
AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
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Figure 2 - Tons Disposed at Coffin Butte Landfill by Region and Major Counties 2013 to 2017



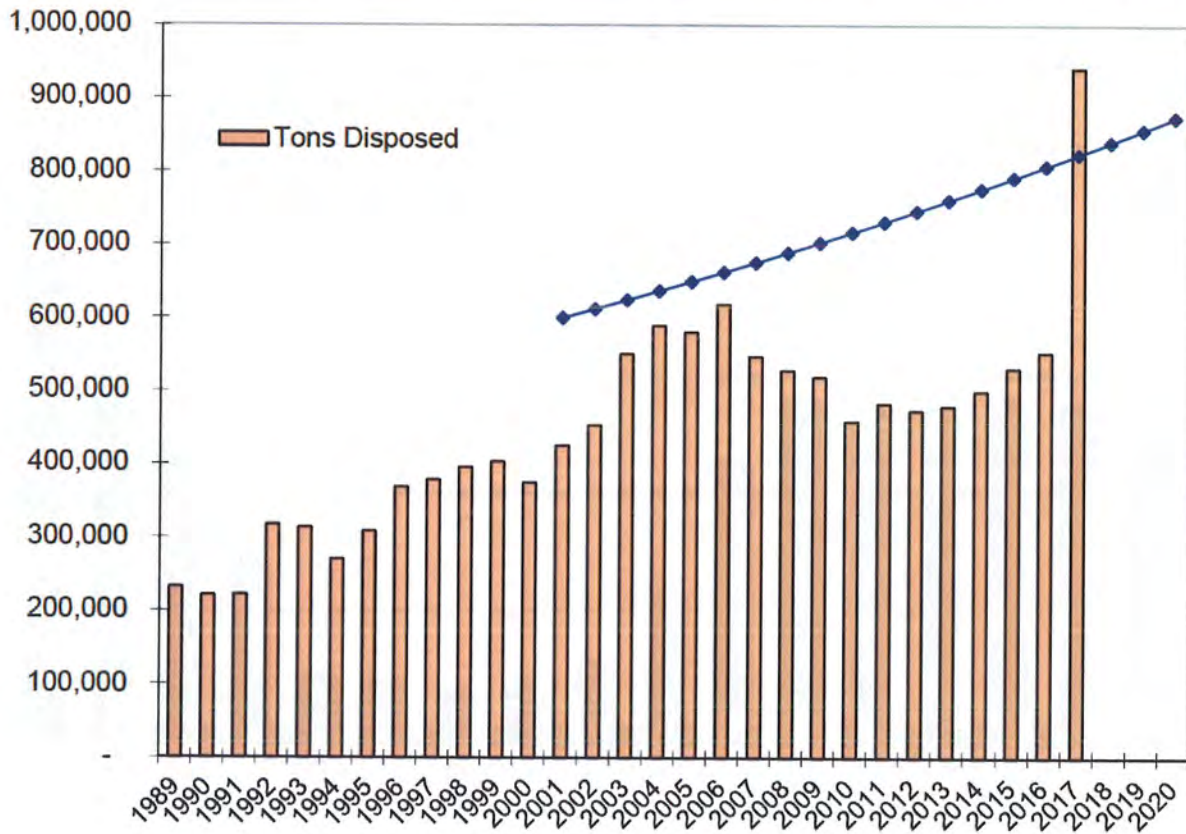
AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
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**Figure 3 - Number of Vehicles at Coffin Butte
Landfill
2001 to 2017**

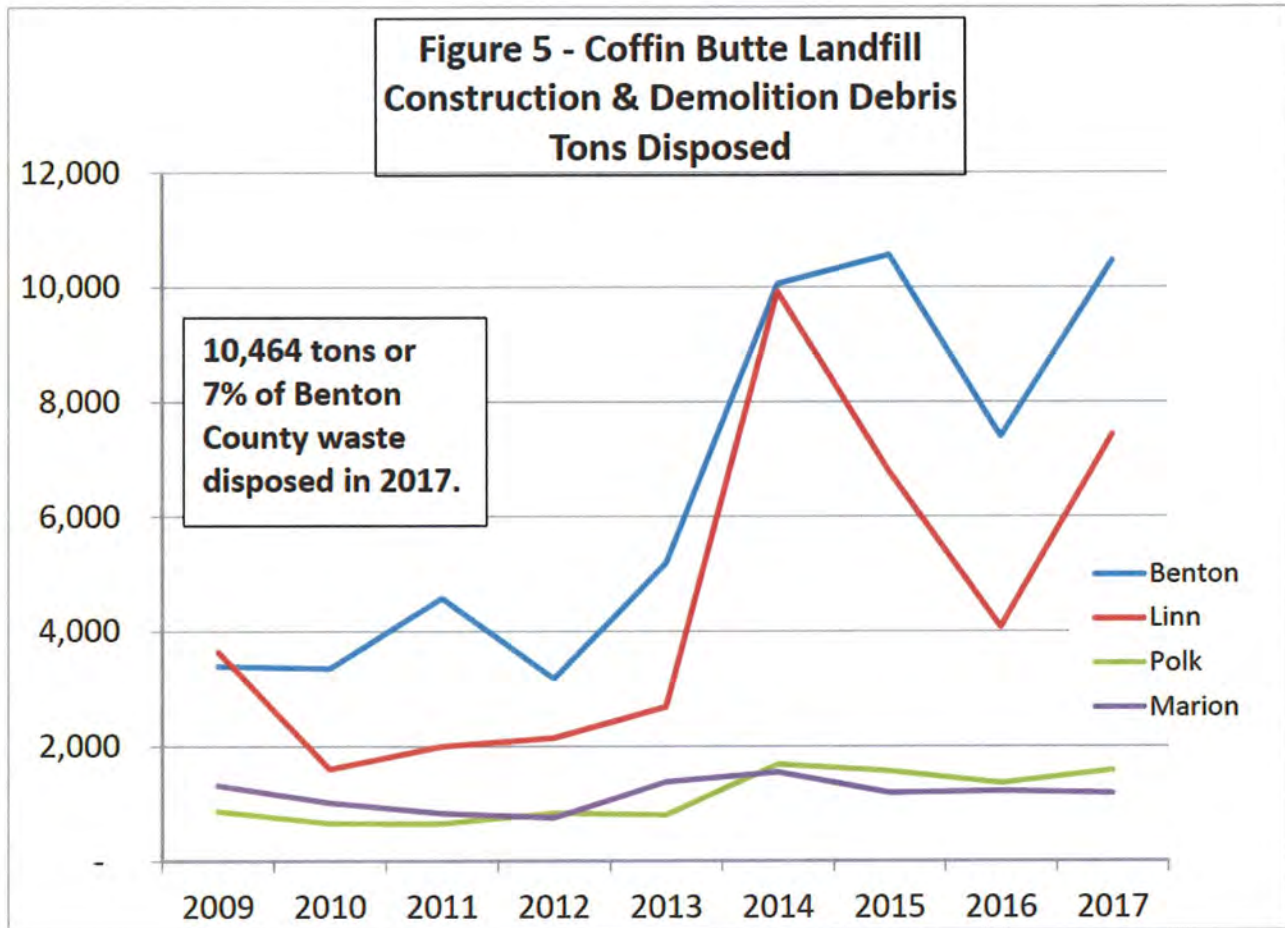


AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
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Figure 4 - Coffin Butte Landfill Tons Disposed 1989 to 2017 and Annual Maximums Specified in Franchise Agreement



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COFFIN BUTTE LANDFILL & PACIFIC REGION COMPOST

Annual Report
2017



COFFIN BUTTE LANDFILL & PACIFIC REGION COMPOST 2017 Summary of Operations and Environmental Monitoring

This report provides a summary of the following aspects of Coffin Butte Landfill and Pacific Region Compost operational and environmental status for calendar year 2017:

Landfill Capacity	1
Future Landfill Infrastructure Development	2
Summary of Landfill Annual Environmental Monitoring Report.....	3
Annual Environmental Monitoring Report (AEMR) and Executive Summary Trend Plots	Appendix A
Site Map and Well Locations.....	Appendix B
Summary of Landfill Annual Leachate Management Report	4
Summary of Landfill Annual Title V Air Monitoring Report	4
Summary of Landfill Users by County of Origin	5
Status of Landfill Environmental Trust Fund and Insurance	6
Certificate of Insurance	Appendix C
Summary of Landfill Environmental and Regulatory Permits	6
Summary of Customer Complaints.....	7
Summary of Pacific Region Compost (PRC) Activity	8
Summary of Pacific Region Compost Odor Notices	9

LANDFILL CAPACITY

Coffin Butte Landfill has permitted airspace of 39,148,003 cubic yards (including consumed). During 2017 the landfill accepted 941,430 tons of solid waste. Based on historical aerial fly-over data, the average effective density¹ of the in-place waste at the Coffin Butte Landfill is 0.97 tons/cy (1943 lbs/cy – 2017 Operational Density). Therefore, an estimated 969,048 cubic yards of airspace was used for the year. A total of 16,740,632 cubic yards has been consumed as of December 31, 2017.

The remaining capacity for the entire permitted landfill footprint as of the end of 2017 was approximately 21,727,371 cubic yards. This information is updated annually with aerial flyovers. Using 0.80 tons/cy, the remaining available landfill space expressed in tons is about 17,381,897 tons. Using the 2014-2016 average disposal rate of approximately 528,000 tons per year, there are about 32.92 years of landfill space available. If we use our three year density average of 0.93 tons/cy, the site life extends to 38.27 years. This illustrates the importance of density on landfill site life.

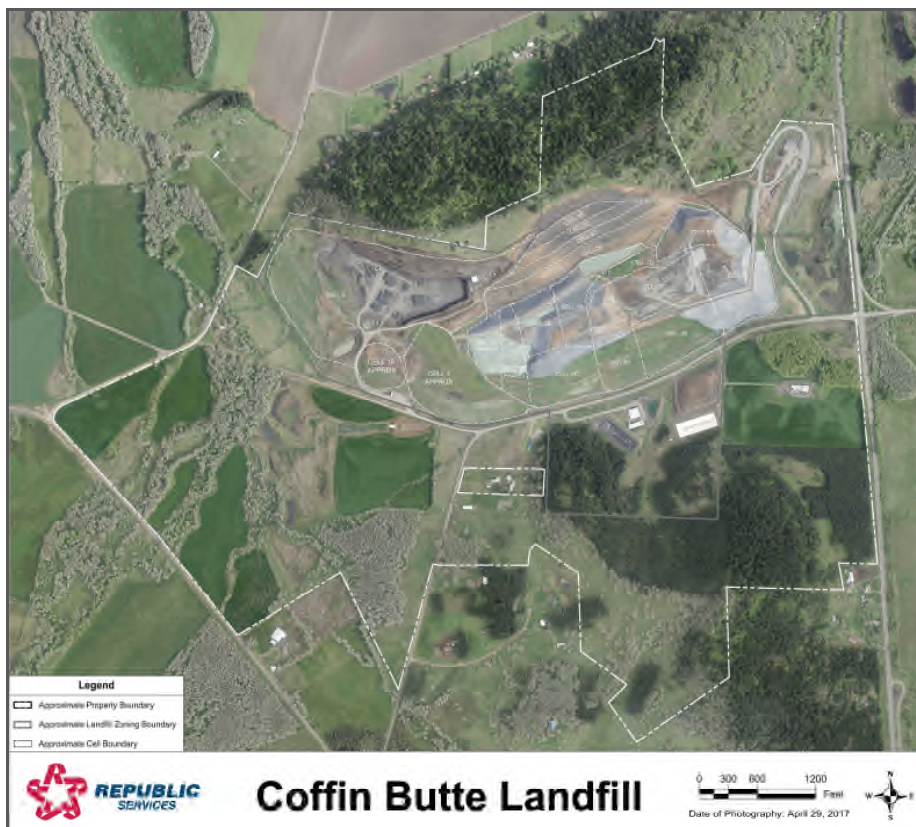


Figure 1. Aerial photo of Coffin Butte Landfill.

¹ Effective density incorporates the effects of daily and intermediate soil cover usage. It is calculated by measuring the amount of airspace occupied between successive aerial flyovers using photogrammetric maps, and dividing that volume into the number of tons of waste received at the gate.

FUTURE LANDFILL INFRASTRUCTURE DEVELOPMENT

The following is an estimated timeline for anticipated projects in the upcoming year:

- Landfill Gas Infrastructure – Installation of eight horizontal and ten vertical wells. A number of collapsed wells will be decommissioned.
- Vegetative Screen – Continued maintenance of the row of trees planted in 2016 along the eastern perimeter of the landfill property. The trees will to help screen the site from Highway 99.
- Leachate Management – Approximately four additional acres of exposed membrane will be deployed to better shed storm water.



Figure 2. Vertical Gas Well Construction

SUMMARY OF LANDFILL ANNUAL ENVIRONMENTAL MONITORING REPORT

This annual report provides a summary of the water quality monitoring activities at Coffin Butte Landfill during 2017. Coffin Butte Landfill, located in Benton County, Oregon, is a municipal solid waste landfill owned and operated by Valley Landfills, Inc. (VLI). Environmental monitoring and associated reporting is required by the landfill's solid waste disposal permit number 306, issued and administered by the Oregon Department of Environmental Quality (DEQ).

During 2017, no significant changes in water quality were measured. Volatile organic compound (VOC) concentrations in wells along the west-side compliance boundary were below primary drinking water standards including well MW-12S, where the trend for tetrachloroethene (PCE) continues downward. Other than PCE, several other VOCs were detected at low concentrations (below 2 µg/L) in west-side compliance wells and several inorganic parameters were present above background concentrations. Since the landfill cover was installed on Cells 1/1A in 1996 and landfill gas removal wells were installed in Cell 1 in 1994, the number and concentrations of VOCs have declined in compliance wells.

Downgradient of the Closed Landfill, groundwater quality trends are stable as well. Based on the age of the landfill, it is expected that the existing low level impacts will diminish with time.

At the compliance boundary for Cell 4 on the east side, the primary drinking water standard for arsenic was exceeded, but these concentrations represent natural background conditions. Sampling results at MW-26 and MW-27 were below site specific limits (SSLs) for each of the indicator parameters, except for magnesium in MW-26, which was nominally above the limit. No further action is required unless three SSLs have been exceeded in any one sampling event.

Leachate production for the water year 2016-2017 was estimated at 28.3 million gallons. This was generated by Cells 1 through 5 during the water year ending September 30, 2017. VLI continues to monitor the secondary leachate collection systems (SLCS) beneath Cells 2, 3, 4, and 5.

The text portion of the AEMR, trend plots for groundwater quality parameters described above and data table for east side groundwater monitoring wells are presented in Appendix A. The remaining tables, figures and appendices discussed in the text portion of the report are on file at the Benton County Health Department.

SUMMARY OF LANDFILL ANNUAL LEACHATE MANAGEMENT REPORT

The Annual Environmental Monitoring Report (AEMR) includes information and data from the leachate management program. Leachate production and management for the water-year October 2016 to September 2017 is discussed in the report. The text portion of the leachate report can be found in section 3.4 of the AEMR.

SUMMARY OF LANDFILL ANNUAL TITLE V AIR MONITORING REPORT

Air emissions generated at the Coffin Butte Landfill in 2017 were summarized in a report on DEQ forms prepared by Valley Landfills. The air emissions generated in 2017 were less than the plant site emission limits (PSELs) allowed under the Title V Operating Permit. There were no deviations from the Title V Operating Permit conditions.

The landfill received, responded to, documented and reported 0 odor notifications to DEQ.

Coffin Butte Landfill Odor Notices								
Month	2010	2011	2012	2013	2014	2015	2016	2017
Jan	19	2	0	0	0	1	2	0
Feb	25	3	0	0	0	0	0	0
Mar	12	0	3	0	2	0	0	0
Apr	6	2	3	0	1	1	0	0
May	3	3	0	0	0	0	0	0
Jun	6	2	0	0	0	0	0	0
Jul	2	1	0	0	0	0	0	0
Aug	0	0	1	0	1	0	0	0
Sep	9	2	0	0	1	0	0	0
Oct	6	0	0	0	0	0	0	0
Nov	0	0	0	1	0	0	0	0
Dec	9	0	0	0	0	0	0	0
Total	97	15	7	1	5	2	2	0

SUMMARY OF LANDFILL USERS BY COUNTY OF ORIGIN

Coffin Butte Landfill Vehicles by Class and Tons Disposed - Total for Year 2017					
	Commercial Vehicles Intercompany Franchised & Third Party Franchised		Private Vehicles	Total Vehicles	Total Tons
	MSW	C&D	(Includes Special Waste, Asbestos, & Public)		
County	Tons	Tons	Tons		
Benton	41,671.27	10,464.10	94,063.95	40,554	146,199.32
Linn	72,862.71	7,429.50	35,425.97	29,977	115,718.18
Polk	34,374.09	1,577.95	6,186.14	15,236	42,138.18
Marion	97,600.14	1,181.40	35,688.19	7,515	134,469.73
Lane	4,316.93	83.42	15,334.84	1,286	19,735.19
Tillamook	25,311.93	1.44	9,071.34	1,446	34,384.71
Yamhill	36,938.81	2.81	4.09	1,643	36,945.71
Lincoln	28,678.03	14.42	1,016.84	1,342	29,709.29
Coos	0.00	0.00	1,296.88	58	1,296.88
Clark, WA	0.00	0.00	0.00		0.00
Washington	250,444.13	0.00	3,586.95	9,124	254,031.08
Jackson	0.00	0.00	0.00		0.00
Multnomah	0.00	9.84	17.02	5	26.86
Douglas	0.00	0.00	687.01	27	687.01
Clackamas	41,407.46	0.00	2,357.42	1,710	43,764.88
Columbia	31,797.39	0.00	0.00	1,161	31,797.39
Clatsop	0.00	1.17	298.61	20	299.78
Harney	0.00	0.00	0.00	0	0.00
Deschutes	0.00	1.36	0.00	1	1.36
Baker	1.14	0.18	0.00	7	1.32
Malheur	0.08	0.00	0.00	1	0.08
Lake	0.00	0.71	0.00	1	0.71
Misc. County	0.00	0.00	0.00	0	0.00
Cowlitz, WA	0.00	0.00	319.46	12	319.46
Pierce, WA	0.00	0.00	0.00		0.00
King Co, WA	0.00	0.00	0.00		0.00
M-Clackamas	5,337.15	0.00	3,818.83	509	9,155.98
M-Multnomah	0.00	0.00	0.00		0.00
M-Washington	40,595.68	0.00	150.88	1,746	40,746.56
Totals	711,336.94	20,768.30	209,324.42	113,381	941,429.66

STATUS OF LANDFILL ENVIRONMENTAL TRUST FUND AND INSURANCE

The Value of the Environmental Trust on 12/31/2017 was \$11,312,290.

The Value of the Environmental Trust on 12/31/2016 was \$9,761,623.

The Value of the Environmental Trust on 12/31/2015 was \$8,998,654.

The Value of the Environmental Trust on 12/31/2014 was \$9,026,181.

The Value of the Environmental Trust on 12/31/2013 was \$8,485,409.

A copy of the Certificate of Liability Insurance, showing Benton County as an additional insured is presented in Appendix C.

SUMMARY OF LANDFILL ENVIRONMENTAL AND REGULATORY PERMITS

Permit Number	Permit Type	Permit Terms	Renewal Date	Enforcement Actions - 2017	Comments
SWDP # 306	Solid Waste	10 Year	July 31, 2020	None	
# 1200Z	NPDES Stormwater	5 Year	July 21, 2022	None	
#101545	NPDES Leachate Treatment	5 Year	September 30, 2017	None	Renewal Application Submitted-Administratively Extended
#02-9502	Title V Air Quality	5 Year	October 1, 2014	None	Renewal Application Submitted-Administratively Extended
#5	Industrial Wastewater Discharge	5 Year	May 31, 2018	None	City of Corvallis Leachate Disposal
#8679	Wastewater Discharge Permit	5 Year	December 31, 2022	None	City of Salem Leachate Disposal

SUMMARY OF CUSTOMER COMPLAINTS

The table was compiled from the verbal complaints logged at Coffin Butte Landfill and Pacific Region Compost scale houses.

Valley Landfills, Inc. 2017 Complaint Log					
Month	Price	Public Tipping Area	Other	Pacific Region Compost	Monthly Total
Jan	0	0	0	0	0
Feb	0	0	0	0	0
Mar	0	0	0	0	0
Apr	0	0	0	0	0
May	0	0	0	0	0
Jun	0	1	0	0	1
Jul	0	0	0	0	0
Aug	0	0	0	0	0
Sep	0	0	0	0	0
Oct	0	0	0	0	0
Nov	0	0	3	0	3
Dec	0	0	1	0	1
Totals	0	1	4	0	5

SUMMARY OF PACIFIC REGION COMPOST ACTIVITY

Pacific Region Compost (PRC) operates under a Solid Waste Disposal Site Permit (Composting Facility No. 1418) issued by the Oregon Department of Environmental Quality (DEQ) on April 5, 2011. The permit allows PRC to compost Food Waste (Type III Feed Stocks). Below is a list of the Inbound and Outbound materials at PRC in 2016 and 2017.

Summary of Pacific Region Compost Activity 2017								
Recycling							Sales	
	Green Waste		Urban Wood Waste		Food Waste		Hog Fuel	Compost
	Cubic Yards	Tons	Cubic Yards	Tons	Residential (Tons)	Commercial (Tons)	Tons	Cubic Yards
Inbound	0.00	13,542.00	0.00	0.00	98,468.00	6,145.00		
Outbound							0.00	49,645.50
Totals	0.00	13,542.00	0.00	0.00	98,468.00	6,145.00	0.00	49,645.50

Summary of Pacific Region Compost Activity 2016								
Recycling							Sales	
	Green Waste		Urban Wood Waste		Food Waste		Hog Fuel	Compost
	Cubic Yards	Tons	Cubic Yards	Tons	Residential (Tons)	Commercial (Tons)	Tons	Cubic Yards
Inbound	0.00	14,367.00	0.00	0.00	93,026.00	11,233.00		
Outbound							0.00	93,212.00
Totals	0.00	14,367.00	0.00	0.00	93,026.00	11,233.00	0.00	93,212.00

SUMMARY OF PACIFIC REGION COMPOST ODOR NOTICES

Pacific Region Compost received, responded to and documented 26 odor notifications in 2017.

Pacific Region Compost Odor Notices								
Month	2010	2011	2012	2013	2014	2015	2016	2017
Jan	0	3	6	10	1	4	5	2
Feb	0	0	9	7	1	2	7	2
Mar	0	0	2	5	1	0	12	3
Apr	0	1	2	4	1	1	18	3
May	0	2	13	13	9	2	15	10
Jun	2	13	8	3	5	19	2	2
Jul	7	5	18	25	2	5	6	1
Aug	5	53	29	17	16	8	2	1
Sep	0	13	27	8	3	5	0	0
Oct	1	3	6	1	4	17	1	2
Nov	0	1	2	1	1	4	2	0
Dec	0	7	3	1	0	3	3	0
Total	15	101	125	95	44	70	73	26

APPENDIX A

ANNUAL ENVIRONMENTAL MONITORING REPORT (AEMR) AND EXECUTIVE SUMMARY TREND PLOTS

**2017 ANNUAL ENVIRONMENTAL
MONITORING REPORT**

COFFIN BUTTE LANDFILL

BENTON COUNTY, OREGON

Prepared for

Valley Landfills, Inc.

March 13, 2018

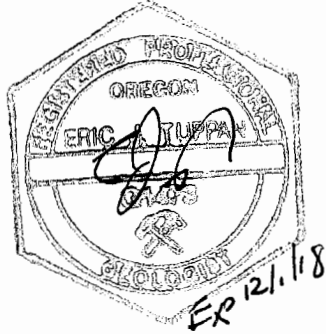
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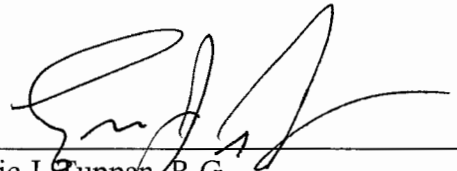
Project VLI-001-002

**2017 Annual Environmental Monitoring Report
Coffin Butte Landfill
Benton County, Oregon**

The material and data in this report were prepared under the supervision and direction of the undersigned.



TUPPAN CONSULTANTS LLC



Eric J. Tuppan, R.G.

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EXECUTIVE SUMMARY

This annual report provides a summary of the water quality monitoring activities at Coffin Butte Landfill during 2017. Coffin Butte Landfill, located in Benton County, Oregon, is a municipal solid waste landfill owned and operated by Valley Landfills, Inc. (VLI). Environmental monitoring and associated reporting is required by the landfill's solid waste disposal permit number 306, issued and administered by the Oregon Department of Environmental Quality (DEQ).

During 2017, no significant changes in water quality were measured. Volatile organic compound (VOC) concentrations in wells along the west-side compliance boundary were below primary drinking water standards including well MW-12S, where the trend for tetrachloroethene (PCE) continues downward. Other than PCE, several other VOCs were detected at low concentrations (below 2 µg/L) in west-side compliance wells and several inorganic parameters were present above background concentrations. Since the landfill cover was installed on Cells 1/1A in 1996 and landfill gas removal wells were installed in Cell 1 in 1994, the number and concentrations of VOCs have declined in compliance wells.

Downgradient of the Closed Landfill, groundwater quality trends are stable as well. Based on the age of the landfill, it is expected that the existing low level impacts will diminish with time.

At the compliance boundary for Cell 4 on the east side, the primary drinking water standard for arsenic was exceeded, but these concentrations represent natural background conditions. Sampling results at MW-26 and MW-27 were below site specific limits (SSLs) for each of the indicator parameters, except for magnesium in MW-26, which was nominally above the limit. No further action is required unless three SSLs have been exceeded in any one sampling event.

Leachate production for the water year 2016-2017 was estimated at 28.3 million gallons. This was generated by Cells 1 through 5 during the water year ending September 30, 2017. VLI continues to monitor the secondary leachate collection systems (SLCS) beneath Cells 2, 3, 4, and 5.

1.0 INTRODUCTION

The Annual Environmental Monitoring Report (AEMR) presents results of water quality and landfill gas probe monitoring during the 2017 calendar year at the Coffin Butte Landfill in Benton County, Oregon (Figure 1-1), operated by Valley Landfills, Inc. (VLI). TUPPAN CONSULTANTS LLC oversaw sampling, managed the water quality data, and prepared this annual report. Annual reporting is required by Section 19.0 of the landfill's solid waste disposal permit number 306, issued by Oregon Department of Environmental Quality (DEQ) on November 24, 2010.

As defined in the Environmental Monitoring Plan (EMP) (TC, 2014b), the annual report serves as the mechanism to (1) collate and report analytical data for the past year, (2) assess achievement of remedial goals for the west side, and (3) evaluate detection monitoring data for east-side cells as it relates to performance of the engineered liner systems for the active waste management units. The last two items will be discussed in Section 4 of the annual report.

For the west side, the purpose of the report is to assess (1) the effect of remedial actions on groundwater quality (i.e., assess progress of cleanup) and (2) protection of potential human health receptors. Consequently, the report focuses data evaluation on the following objectives:

- Assess aquifer restoration and contaminant removal rates based on concentration trends.
- Evaluate the effectiveness of source control.
- Evaluate stabilization of the plume based on the extent and concentration of volatile organic compounds (VOCs).
- Discuss results of protectiveness monitoring at domestic wells and at early warning detection wells.

For the east side, the report compares analytical results to site specific limits (SSLs) and permit specific concentration limits (PSCLs) and examines the data for indications of a significant change as described in Section 4.2. Results are also compared to relevant water quality standards.

Consistent with solid waste permit requirements, municipal solid waste guidance (DEQ, 1996), and the updated EMP, the annual report contains the following:

- A cover letter that:
 - Compares the analytical results with relevant monitoring standards.
 - States whether or not federal or state standards were exceeded for the relevant media.
 - States whether or not a significant change in water quality occurred or methane levels were exceeded.
- An executive summary.
- Assessment of the current status of the environmental monitoring network and recommendations for improvements.
- Data analysis and evaluation, based on the following:
 - Updated groundwater elevation information for each sampling event and monitored unit, depicting groundwater flow velocities and direction, and piezometric water contours.
 - Data evaluation tools (e.g., time-series plots) for selected constituents of concern to be used in assessing data.
 - Results of a major ion balance for each groundwater monitoring well that was sampled for major anions and cations during split sampling events (split sampling did not occur in 2017, but is tentatively planned for 2019).
 - Summary of results of monitoring for the year, including a table that compares results with relevant water quality standards.
- Description of activities resulting from exceeding a relevant standard or significant change in water quality, such as resampling or additional investigation.
- Results of LFG probe monitoring (monitoring related to operations of the gas-to-electric plant are not reported as part of the environmental monitoring program).
- Findings from the leachate management program.
- Summary of sampling and analysis, field quality assurance and quality control (QA/QC), and laboratory QA/QC techniques implemented during the year.
- Copies of applicable information, including field data, laboratory analytical reports, and chain-of-custody reports; data are cross-referenced and labeled with the designated field sampling location.

In addition to these elements, the Western Region of the DEQ has requested that facilities provide an historical database for the landfill that can be archived at the DEQ. For the Coffin Butte Landfill, this database is maintained on Microsoft Access by Tuppan

Consultants. To fulfill this request, and because of the size of the database (thousands of pages of data), we are providing an export of the requested data organized by monitoring point and analytical parameter class in Microsoft Excel format. This can be found as Appendix F on the attached CD.

Similar to last year (TC, 2017a), this year's annual report presents appendix material in Portable Document Format (PDF) to reduce paperwork, consistent with DEQ policy. This applies to trend plots and data summations in Appendices C and D, as well as field sampling sheets and laboratory reports (Appendix E).

2.0 WATER QUALITY MONITORING

2.1 Monitoring Network

The water quality monitoring network has five components: (1) groundwater monitoring wells, which include compliance and detection wells, (2) water level observation wells and piezometers, (3) the secondary leachate collection system (SLCS), (4) leachate sumps, and (5) surface water monitoring points. In addition to water quality, landfill gas is monitored at probes surrounding the landfill, and in buildings or structures near the landfill. The rationale for the network design and the media monitored was presented in the EMP (TC, 2014b). The water quality monitoring locations are summarized on Table 2-1. A summary of the well construction, survey information, and lithologic completion intervals is provided in Table 2-2.

2.2 Sampling and Analysis Program

Water quality monitoring in 2017 was conducted consistent with the currently approved EMP for Coffin Butte Landfill (TC, 2014b), which presents monitoring rationale, sampling and analysis parameters, locations, and a schedule. The frequency of monitoring, the sampling points, and the analytical parameters tested in 2017 are summarized in Table 2-3.

Water was sampled consistent with procedures described in the site sampling and analysis plan in Appendix C of the EMP. Samples were collected by staff from Quality Technical Services, Inc., under contract to TUPPAN CONSULTANTS and submitted to TestAmerica Laboratories, Inc., in Denver, Colorado.

In 2017, samples were not collected as follows:

- Second Quarter: LDS-WLP, LDS-ELP were dry and not sampled.
- Fourth Quarter: LDS-ELP and LDS-WLP were dry and not sampled.

As a note, the underdrain for Cell 4 (S-U6) has not had sufficient flow to sample since Cell 4 was expanded to the south in 2012. The most likely reason is because the flow from the northern part of the cell was replumbed at that time to an outfall that discharges to Toketie Marsh, and there is not enough flow from the south end underdrain system to discharge to the drainage ditch south of Cell 4 at S-U6. The underdrain for Cell 5

(numbered S-U7) on the east side of Cell 5, flows into a manhole at a depth of approximately 20 feet. This manhole also handles stormwater from the site. Given the depth of the discharge point in the manhole, it has not been feasible to collect samples from this location. Therefore, VLI discontinued attempting to sample the underdrains for both the Cell 4 and Cell 5 locations.

Memoranda that document field sampling procedures, copies of field sampling data sheets that record measurements for the sampling events, and laboratory reports are included in Appendix E in PDF on a CD attached to the inside back of the report cover.

2.2.1 Data Quality

Results of laboratory quality assurance and quality control data indicate acceptable results as qualified by data review memoranda (Appendix A). TestAmerica's standard laboratory reporting limits (RLs) for several of the trace metals are higher than reporting limit goals devised by the DEQ at 10 percent of the primary drinking water standard. The laboratory reports at lower values to meet these goals, although the laboratory must qualify the data as estimated ("J" qualified) since the resultant values are below the standard laboratory RL, but above the instrument method detection limit. Qualified data are discussed in the memoranda in Appendix A (along with a table comparing the various reporting limits) and listed in the summary tables in Appendix B.

In the October 2017 sampling event, acetone was detected in most samples at the site in addition to the method blank at a significant concentration. The acetone in these samples was qualified not detected, consistent with guidance.

The only other VOC detected in a compliance well in October was naphthalene in MW-27 at a trace concentration (0.77 µg/L, "J") below the method reporting limit (MRL), which is also the practical quantitation limit for that compound. The solid waste permit specifies that the Action Limit (AL) for VOCs is the "Detection of a VOC greater than a laboratory derived practical quantification limit," and states that in the case of Action Limits, "Exceedance of a single AL, not previously reported and explained to the DEQ will trigger verification resampling." Given these conditions, MW-27 was not resampled. The DEQ was informed of this decision at the time by email and concurred (TC, 2017b).

3.0 FINDINGS

The discussion of hydrogeology is summarized from sections on site characterization in past reports and the EMP (EMCON, 1994, 1996, 2000; TC, 2003a,b, 2014b).

3.1 Hydrogeology

The landfill is along the south flank of Coffin Butte. In undeveloped areas of the site, the upper third of the butte consists of steep grass-covered slopes, the middle third of exposed bedrock with little vegetation, and the lower third of gentle, soil-covered slopes. Generally, the steeper slopes are underlain by basalt bedrock and the lower, flatter slopes on the flanks of Coffin Butte are underlain by alluvium that consists of silty clay to clayey silt with variable amounts of thin, interbedded sands and silty to sandy gravels (commonly referred to as Willamette Silt).

There are two principal water-bearing units: unconsolidated alluvium, and weathered to unweathered bedrock volcanics. Groundwater occurs in both units, although the alluvial deposits are absent or unsaturated over much of the site where landfill occurs. Where both units are present, they are hydraulically connected. The two units are monitored separately by groundwater monitoring wells.

3.1.1 Groundwater Occurrence and Flow

Depth to groundwater depends on season and topography. In site wells, the groundwater depths normally range from over 80 feet below the ground surface midway up the slopes of Coffin Butte (in bedrock) to less than 1 foot in the flat lowland area southeast of the butte (in alluvium). East of Cells 2 through 4, potentiometric elevations measured during the wet winter and spring months are near or higher than the ground surface elevation, indicating the potential for groundwater to discharge in this area.

Table 3-1 summarizes the groundwater elevations for 2017. Seasonal fluctuations vary with hydrogeologic position of the monitoring point. Seasonal changes range from less than 1 foot in MW-23 and MW-26, to over 13 feet in upgradient piezometer P-23. Historical measurements at well MW-13, which was just above Cell 3 and decommissioned in 2012, typically varied from 30 to 40 feet between winter and fall. Figures 3-1 to 3-4 illustrate the range of seasonal fluctuations for typical site wells in comparable hydrogeologic positions. Last year, the average site-wide fluctuation in monitoring wells and piezometers was approximately 3.2 feet, with the lowest groundwater elevations in late summer to fall and the highest in winter and spring.

Over the long term, subtle water levels trends have developed in several wells at the base of Cells 1/1A. Figure 3-4 shows progressively higher groundwater levels from the early to late 1990s, and then decreasing until about 2005, at which time lower elevations continued until 2010. In 2010-11, water levels increased slightly and then appear to have decreased in subsequent years.

The direction of groundwater flow is controlled by the topographic setting of Coffin Butte and Poison Oak Hill and the intervening low areas. Groundwater in the bedrock generally flows downslope from the hills until it reaches a groundwater divide near the southeast corner of Cell 1. At the divide, groundwater flows toward the east and west, generally following the long axes of the valleys. Groundwater flow direction in the saturated portion of the alluvium mimics the underlying bedrock.

Groundwater contours for the site are illustrated on Figures 3-5 and 3-6. The groundwater elevations are from wells screened either in the alluvium or the bedrock, both weathered and fresh. With the relatively large topographic relief between wells, vertical gradients between hydrogeologic units at monitoring locations are small, and do not substantially affect the site's groundwater flow pattern or horizontal gradients.

Factors affecting the groundwater gradients include the topographic slope, hydrogeologic material, and the season. The steepest horizontal gradients measured at the site are on the upper flanks of Coffin Butte. These range from approximately 0.048 to 0.068 foot per foot (ft/ft) just east of Cell 1, to 0.22 ft/ft downslope of P-22. Smaller gradients are an order of magnitude lower, approximately 0.014 ft/ft, along Coffin Butte Road (in alluvium between MW-24 and MW-8S) to 0.02 ft/ft beneath Cell 4 (upgradient of MW-26). On the west side of the landfill, gradients average 0.012 to 0.015 ft/ft downgradient of Cells 1 and 1A. Downgradient of the Closed Landfill, the gradient is relatively consistent between seasons at approximately 0.060 ft/ft.

3.1.2 Groundwater Velocity

Groundwater velocity depends on hydraulic conductivity,¹ horizontal hydraulic gradient, and effective porosity of the water-bearing medium. The horizontal velocity (V_h) of groundwater is calculated by the following equation:

$$V_h = Ki/n_e$$

where

V_h = horizontal groundwater velocity.
 K = hydraulic conductivity.

¹ The mean hydraulic conductivity for alluvium and bedrock was evaluated from pumping and slug test data collected from 1985 to 1993 as reported in the remedial investigation (EMCON, 1994). Geometric means were calculated for each unit after examining boring logs to verify hydrogeologic unit. Revisions to the values used in annual reports from before 2009 are as follows: Alluvium: 0.22 ft/day (old value 0.062 ft/day); Bedrock: 2.7 ft/day (old value 4 ft/day).

i = horizontal hydraulic gradient.
 n_e = effective porosity.

Estimates of V_h were calculated at the Coffin Butte Landfill for several areas: on the east side, beneath Cell 4, and on the west side, downgradient of Cell 1 and the Closed Landfill. Beneath Cell 4, V_h is calculated at approximately 6.3 ft/yr, given a hydraulic conductivity of 0.22 ft/day for the alluvium, an estimated effective porosity of 25 percent (literature values in Morris and Johnson, 1967), and a hydraulic gradient of 0.02 ft/ft.

Downgradient of Cells 1/1A, estimates for V_h range from 50 to 300 ft/yr. Assumptions include an average hydraulic conductivity of 2.7 ft/day for the bedrock, an estimated effective porosity of between 5 and 25 percent (Morris and Johnson, 1967), and an average hydraulic gradient of 0.012 ft/ft in the spring and 0.015 ft/ft in the fall.

Downgradient of the Closed Landfill, estimates for V_h are approximately 20 ft/yr for the alluvium, and 240 ft/yr in the bedrock. Assumptions include the hydraulic conductivities for alluvium and bedrock noted above, an estimated effective porosity of 25 percent both for alluvium and weathered bedrock, and an average hydraulic gradient of 0.061 ft/ft for the spring and fall.

3.2 Water Quality

Water quality summary tables for 2017 can be found in Appendix B. The tables organize the monitoring points by wells, surface water stations, underdrains, leachate, and the SLCS (by LDS monitoring point).

3.2.1 Groundwater

This section summarizes groundwater quality at Coffin Butte Landfill in several geographic areas, by examining trends that can be used to predict or assess subtle changes in water quality or which track parameter concentrations used to assess areas with existing impacts. This qualitative examination is complemented by quantitative comparisons in Section 4 that assess remedy performance for the west side. For the east side compliance wells MW-26 and MW-27, water quality results are compared with concentration limits that include SSLs and PSCLs.

Parameters evaluated for Cells 1 and 1A focus on the suite of indicators and selected VOCs that have been consistently detected over the years. Water quality evaluation downgradient of the Closed Landfill focuses on site indicator compounds. Time-series concentration plots by parameter can be found in Appendix C in PDF format on the attached CD.

Time-series concentration plots for groundwater wells that monitor the former leachate irrigation Fields B (east side) and C (west side, south of Coffin Butte Road) document

recovery of groundwater quality since leachate irrigation was discontinued in 1998. Plots for these wells can also be found in Appendix C.

TUPPAN CONSULTANTS visually examined groundwater quality trends presents observations below. The discussion focuses on the most recent trend (approximately the last five years) and indicate the general range of parameter concentrations for that period.

3.2.1.1 West Side

Cells 1 and 1A. Groundwater in this area is characterized by elevated, but mostly declining, concentrations of inorganic compounds downgradient of Cell 1A and low concentrations of inorganic compounds downgradient of Cell 1. Except for MW-12S at Cell 1, most VOC concentrations in this area have declined to below 2 micrograms per liter ($\mu\text{g/L}$) (Table 3-2) and continue to trend downward. At MW-12S, PCE continues a mostly declining trend since 2005. In addition, TCE and cis-1,2-dichlorethene were detected, also at low concentrations, indicating that the PCE continues to break down to these daughter products. In the deeper well MW-12D, PCE was detected, but at slightly lower concentrations, between 1.5 and 1.7 $\mu\text{g/L}$, than the shallow well.

Non-halogenated VOCs detected include 1,4-dichlorobenzene in MW-10S, with trace concentrations in MW-10D. Trace metals concentrations are low to nondetect and generally follow stable trends.

Closed Landfill. The closed landfill is monitored by two wells designated as compliance wells in the solid waste permit: one completed in the alluvium (MW-20) and one completed in bedrock (MW-21). Both wells have shown stable to downward trends for the site indicator parameters.

3.2.1.2 East Side

Cell 2 and Cell 3 – Detection Well MW-24. Wells near Cell 2 include detection well MW-24 at the southern intersection of Cells 2A and 3, and MW-23 discussed below. Well MW-24 is completed in shallow weathered bedrock (the alluvium is not saturated in this area). Trends for indicator parameters in MW-24 are stable and reflect natural water quality in the area.

Cell 2 – Detection Well MW-23. Early in its history, detection well MW-23 had shown increases for bicarbonate alkalinity, chloride, hardness, total dissolved solids (TDS), for five of the major dissolved metals, and for arsenic. This had been attributed to localized seepage of leachate from the south side of the landfill. Since 2000 to 2001, the upward trends for bicarbonate, chloride, TDS, calcium, iron, magnesium, manganese, sodium, and arsenic have peaked, and after about 2009 to 2011, most of these constituents declined to within or just above the range of background concentrations.

Cell 4 – Compliance Wells MW-26 and MW-27. These wells were first sampled in November 2011 and accumulated quarterly baseline water quality data throughout 2013.

Preliminary examination of the trends show relatively lower and stable concentrations at MW-26 than at MW-27, which typically has a wider range of concentrations. At MW-26, the variability for magnesium and sodium had been slightly higher in 2014 and 2015, then declined slightly in 2016 and continues in 2017; this is discussed more fully in Section 4.2. Concentrations for several parameters at MW-27 can be quite variable as illustrated on trend plots in Appendix C (e.g., bicarbonate, sodium, arsenic, and total organic carbon). This is likely caused by two conditions at MW-27. First, the water bearing zone that the well monitors has very low permeability, requiring the well to be purged one day and then sampled the following after it recharges adequately. This does not allow the purge water to stabilize during sampling, so that water samples can be affected unevenly from sampling event to sampling event. The second condition is the mineral composition of the formation opposite the screened interval, which is composed of organic clay with up to 10 percent fine sand. The presence of the organics is likely from an ancient bog that was mapped in the base of the Cell 4 excavation.

3.2.1.3 Former Leachate Irrigation Fields

Field B (East Side). In Field B wells MW-8S and MW-15, concentrations of inorganic indicators continue longer-term trends of past years. At MW-8S, an earlier increasing trend for chloride peaked in 2001 and is declining gradually, while at MW-15, chloride concentrations have been more variable since 2010; bicarbonate and TDS have been relatively stable or declining.

Trace metals in Field B wells were detected at low to trace concentrations, or were not detected in 2017. Neither of the wells shows a trace metals trend indicating effects of past leachate irrigation. No VOCs were detected.

Field C (West Side). Past leachate irrigation in Field C appears to have mildly affected the concentrations of some inorganic parameters historically. Since irrigation stopped in 1998, levels appear to have recovered to pre-irrigation conditions, although some variability persists. It is thought that more recent increases in several parameters in MW-19 (calcium, magnesium, chloride, and sodium) are related to slow migration from upgradient.

As with Field B, trace metals were either not detected in Field C wells, or were detected at low to trace concentrations. Where detected, none of the wells showed a trend indicative of past leachate irrigation. VOCs were not detected above standard MRLs in former irrigation field wells this year with the exception MW-19 where several VOCs were detected: TCE at 1.5 µg/L, PCE at 0.9 µg/L, 1,1-DCA at 1.0 µg/L, and a trace of cis-1,2-DCE at 0.3 µg/L. These VOCs had been detected in this well at trace concentrations since 2011. In addition, dichlorodifluoromethane (Freon 12) has been detected off and on at low levels in that well since 1998; it is currently at 4.6 µg/L.

3.2.2 Surface Water

Surface water is monitored upstream (S-1) and downstream (S-2 and S-4) in Soap Creek to test for potential impacts from the west side of the facility, and for residual impacts from spray irrigation on Field C. Surface water on the east side of the landfill is routed through sedimentation ponds and a bioswale and tested under the facility's stormwater permit.

At the Soap Creek monitoring points, year 2017 results for biological oxygen demand (BOD), total Kjeldahl nitrogen, total phosphorus, and orthophosphate were either nondetect or were virtually identical in concentration between the upstream (S-1) and downstream (S-2 and S-4) monitoring points. This is similar to past years.

The other inorganic parameters (chloride, calcium, iron, magnesium, manganese, and sodium) showed seasonal changes in concentration, with low concentrations in April (high stream flow) and higher concentrations in October (low stream flow). There were either no significant differences between upstream and downstream points for those parameters, or marginal differences with most concentrations varying by approximately 1 to 2 mg/L. Historical differences in concentration between seasons are typically greater, from 3 to 11 mg/L (e.g., chloride can vary from 8.5 mg/L in spring to 18 mg/L in summer).

3.2.3 Underdrains

Trend plots showing historical results of sampling the underdrains for Cells 3 and 4 and the leachate ponds can be found in Appendix D. For the Cell 3 underdrain (S-U3), current water quality is comparable to or lower in concentration than samples collected in 1999 and 2000 from upgradient bedrock well MW-13. This monitoring point does not show significant long-term trends of indicators although there is some variability for the redox sensitive parameters iron and manganese which may have more to do with lack of oxygenated recharge (i.e., infiltration of rainwater) below the liners than leakage of compounds through the primary liner. This suggests that water from the underdrain represents background concentrations unaffected by landfill operations.

Water quality from the East Leachate Pond underdrain (S-U4) represents baseline concentrations. Concentrations for inorganic compounds and dissolved metals from the underdrain are comparable to or lower than concentrations at MW-16, which was a background well that monitored bedrock in the pond location before it was decommissioned in 2004. Since monitoring began, concentrations for the indicator parameters have been steady and exemplify a condition of no leakage from the overlying pond.

Beginning in October 2010, VLI began sampling S-U5, which drains from below the West Leachate Pond. The drain pipe also connects with another pipe that drains from below the concrete pad of the non-operational Leachate Treatment Plant. It should be

noted that minor differences are expected between underdrain S-U5 water quality and groundwater quality at MW-16, since these two monitoring points are not immediately proximal to each other. Nevertheless, the depiction on the trend plot illustrates that they are very close in quality. Similar to water quality results at S-U4, the steady trends at S-U5 suggest no leakage from the overlying liner system for the West Leachate Pond. The October 2016 sampling event had a slightly higher concentration above the normal range for indicators chloride, TDS, calcium, magnesium and sodium. Except for chloride, these parameters decrease to a more normal variation. Chloride continued the slightly higher concentrations, at 26 and 27 mg/L, compared with earlier historical values of below 10 mg/L. VLI will continue to track chloride and if trends continue to increase, VLI will review operations in this area.

3.3 Secondary Leachate Collection System (SLCS)

The SLCS was monitored by riser pipes at four locations: the Cell 2 sump in the southeast corner of that cell (LDS-2B), the Cell 3 sump (LDS-3), the Cell 4 sump (LDS-4), and the Cell 5 sump (LDS-5). The west and east leachate ponds (LDS-WLP and LDS-ELP, respectively) were dry and no samples could be collected. Results for liquid quantity for LDS-2B, LDS-3, LDS-4, and LDS-5 are shown graphically in Appendix D, as are the liquid level data for the primary and secondary sumps in Cells 2, 3, 4, and 5.

3.3.1 Cell 2

Historical variations in the concentrations of indicator parameters measured for LDS-2B reflect changes to the volume and liquid chemistry from different sources (see appendix pages D-25 to D-31). These had varied (1) seasonally as the amount of leachate generated changed, surface water runoff changed, and groundwater levels fluctuated, and (2) from year to year as sources had been eliminated through reconstruction. Increased concentrations were generally attributed to a greater volume of leachate-dominated sources, while decreases reflected a greater ratio of surface water or groundwater to leachate. The volume of liquid that infiltrated into the SLCS for the water years since 1995 is shown in Table 3-3. Cumulative water purged from the system is illustrated in Figure D-1.

Liquid levels in the primary and secondary leachate collection systems are illustrated for 2017 in Appendix D. With regard to removing water that infiltrates to the secondary system (LDS-2B), VLI installed an electric sewage pump in the first quarter 2014 that can pump up to 150 gallons per minute to handle the volumes of leakage that correlate with higher periods of rainfall. The pump has been programmed to operate on an automatic timer with the intent to keep the water level within performance goals.

3.3.2 Cell 3

For Cell 3, water quality plots show that historically, indicator parameter concentrations declined significantly in 2006, and since then for some parameters, concentrations approach or are comparable to the water quality of underdrain S-U3, which represents natural conditions of the underlying bedrock (see plots D-32 to D-39 in Appendix D). Currently, the water quality through 2017 appears to indicate mostly clean water, which is likely stormwater as discussed below.

For the water year from October 2016 through September 2017, total volume infiltrating to the Cell 3 LDS was 242,954 gallons, almost double that of last year. This corresponds to an infiltration rate of approximately 21 gallons per acre per day (gpad) as calculated over the Cell 3 area of 31.9 acres. It is probable that most of the water is stormwater seeping into the system rather than leakage through the primary liner given the much lower constituent concentrations in the water of the secondary system compared to leachate, and the seasonal nature of the infiltration that correlates with rainfall. Because the entire system is built above the groundwater table, groundwater intrusion to the SLCS is not likely a contributing source.

3.3.3 Cell 4

The Cell 4 LDS water quality has improved significantly since construction in summer 2012. The initial water quality sampled in October 2012 likely represented construction water (see plots D-56 to D-63 in Appendix D). Water quality continues to improve as this residual water slowly flushes through the system and is replaced by stormwater seepage. For samples collected in 2017, water quality approached that of underlying groundwater at MW-27 for most of the indicator parameters (e.g., TDS, calcium, magnesium).

The volume recorded for LDS-4 last water year was 163,054 gallons, which is approximately 50,000 gallons more than last year. That extra volume occurred from September to October and is related to stormwater intrusion where the edge of the cell was opened up to tie into 5B. The average rate of pumping calculates to 33.6 gpad in 2017. Similar to Cell 3, the volume correlates with periods of rainfall, suggesting that most of the leakage is from runoff seeping into the system.

3.3.4 Cell 5

Historically, the initial Cell 5 LDS water quality in the 2014 water year was likely construction water. That volume appeared to have flushed through the system as shown by samples collected in 2015 through 2017, which reflected qualities more comparable to background groundwater. These trends are shown on plots at pages D-64 to D-71.

The volume pumped from the system last water year (10/1/16 to 9/30/17) was approximately 44 gallons, which is comparable to last year and significantly lower than

preceding years (3,137 gallons in 2014 and 695 gallons in 2015). In terms of leakage through the primary liner, that volume equates to approximately 0.02 gpad over the 7.4 acres of the liner, which is a fraction of leakage expected for a primary liner and much below the prescribed action rate. Moreover, the very low leakage rate indicates that the primary liner is performing as designed. In addition, by essentially maintaining a dry secondary leachate collection layer, there is no hydraulic head on the secondary liner, which is a primary objective of the double-liner design.

Shortly after the water year ended at the end of September, a bit over 200,000 gallons was pumped from the Cell 5 LDS as a result of the tie-in to the Cell 5B drainage layer being exposed during construction. The data for the 2017 to 2018 water year will be reported in next year's annual report, but is shown as a spike in water production in Appendix D, page D-8.

3.3.5 Leachate Ponds

The west leachate pond was the primary pond used to store leachate this past year, although operations required transfer of a minor amount from the west to the east pond. Records from automated pumping of liquid from the secondary systems show that essentially no liquid was pumped from either leachate pond's secondary systems in 2017 (a nominal amount of 20 gallons was pumped from the east pond). This indicates a lack of leakage through the primary liner into the secondary leachate collection layer and verifies that liner repairs performed in 2010 were effective.

With regard to water quality, pond liner integrity is also evaluated based on trends of inorganic parameters in the underdrain for each pond. Below the East Leachate Pond, monitoring of the underdrain (S-U4) indicates no difference between underdrain water and background groundwater quality previously tested at MW-16. Below the West Leachate Pond, the steady trends at S-U5 suggest no leakage through the overlying liner system, although, as discussed above, the chloride is being tracked and should increase continue, VLI will review operations in this area. Water quality trend plots of LDS liquid and underdrain water quality are provided in Appendix D, pages D-40 to D-55.

3.4 Leachate Production

The AEMR includes information and data from the leachate management program as required by Sections 19.4 and 19.5 of the Solid Waste Permit. Data is for the water year that extends from October 2016 to September 2017 and presented in a format consistent with elements described in Section 4.7 of the updated EMP. Information contained in this report is a summary of data provided by VLI to TUPPAN CONSULTANTS.

3.4.1 Overview of Leachate Management 2016-17 Water Year

During the 2016-17 water year, leachate was generated from Cells 1 through 5 and pumped into one of two leachate surge ponds south of Coffin Butte Road. Most of the

leachate was trucked to the waste-water treatment plant (WWTP) in the City of Corvallis, with approximately 21 percent trucked to the waste-water treatment plant in Salem. Details of volumes trucked can be found in Appendix D, pages D-13 to D-24.

3.4.2 Primary Leachate Management

Leachate management reporting has developed over several years and includes the following six elements:

3.4.2.1 Yearly Totals by Month

Monthly totals are reported for (a) leachate volume generated from the landfill sumps and (b) leachate volume treated. These two values would be expected to be similar taking into account the difference in pond volume at the beginning and end of the water year. Both ponds are covered so rain falling into the pond is not considered in the calculation.

There are two ways to estimate the volume of leachate generated. One is to use flow meters on the discharge lines from the leachate sumps and pumps that collect leachate from the landfill gas system (diaphragm pumps in horizontal wells, vertical landfill gas well pumps, condensate sumps, and horizontal gravity drains). The other is to use the volume treated (volumetrics). Both methods were used and are presented in the data provided by the Coffin Butte Landfill in Table 3-4. Raw data on volumes of leachate treated, flow-meter data, and rainfall records are provided in Appendix D.

The flow meters resulted in an estimate of 30.9 million gallons (MG) and the volumetrics approximately 28.3 MG, a difference of just over 1 percent.

The volume of leachate from the SLCS is not itemized separately on Table 3-4 because this liquid was pumped directly into the primary sumps. From the point of view of leachate management, the total volume of leachate managed from the primary Cells 2, 3, 4, and 5 sumps are inclusive of the SLCS volume. The volume that was extracted from the SLCS was discussed in Section 3.3.

3.4.2.2 Review of Significant Leachate Management Events That Occurred During the Last Water Year

Significant events for the 2016-17 water year are noted below.

- Rainfall for the water year of 60.16 inches was recorded at the landfill's weather station (rainfall for the 2017 calendar year was 55.65 inches). The long-term calendar year average over the past century recorded for Hyslop in Corvallis is approximately 41 inches.
- Leachate volumes were higher than last year, although rainfall was significantly higher.

- Approximately 25 acres of griffolyn or EPDM material were installed to cover the top and slopes of Cells 2, 3, 4 and 5. Of this, approximately 21 acres was for new coverage and 4 acres to replace areas disturbed during cell construction.

3.4.2.3 Review of Leachate Monitoring Procedures

Leachate monitoring includes the following elements:

- Volume is estimated using a range of techniques such as flow meters, visual monitoring of liquid height against calibrated marks on the side of the ponds, and truck counts.
- VLI maintains an NPDES permit for monitoring effluent quality of the on-site treatment plant; however, the plant has been dismantled and no monitoring was required or performed in 2017.
- Leachate quality is monitored for the WWTPs (Corvallis or Salem); it is also tested as part of environmental monitoring and reported in Appendix B.
- Head liquid levels were monitored in the landfill primary sumps (for Cells 2, 3, 4, and 5) using transducers and dataloggers throughout 2017. Plots of the data are included in Appendix D (pages D-9 to D-12). The head levels in the primary and secondary sumps met permit requirements, with the exception of several short periods as shown on the charts.
- Both pond volumes are calculated using flow meters. Volumes are verified weekly using vertical depth markers located on the floating covers. The inventory of both ponds combined is included in Table 3-4.
- Maintenance of the leachate sumps (pumping sediment well, pump, check valves, and flowmeters) was performed quarterly.

3.4.2.4 Summary of Site Conditions and Compilation of Monitoring and Analysis Data

The following matrix summarizes the monitoring and analysis data references. Site conditions relative to leachate management in the 2016-17 water year were efficient and well-managed.

Monitoring and Analysis Summary Data References

Monitoring or Analysis Item	Reference
Flow meters from landfill sumps	Significant amounts of useful data over the reporting period, raw data sheets in Appendix D
Volumes handled by various methods	Table 3-4
Gas production changes, waste saturation, and side-slope seeps in waste irrigation areas	No leachate irrigation was performed (last done in July 2011); no effects from past years' irrigation were noted.
Effluent quality from treatment plant	Plant is in shut-down mode. Per May 2007 DEQ approval, monthly reports for NPDES compliance are unnecessary, unless status changes.
Leachate quality	Provided in Appendix B
Head levels in Cell 2, Cell 3, Cell 4, Cell 5 primary leachate sumps	Permanent bubblers installed in all primary and secondary sumps.
Rainfall	Recorded automatically by site weather station
Pond levels (volumes)	Summary on Table 3-4 for beginning and ending volumes; monitored weekly

3.4.2.5 Summary of Reports for Monitoring Irrigation on Waste

No leachate irrigation was performed during the 2016-2017 water year.

3.4.2.6 Proposed Plans/Changes for Upcoming Leachate Management

The strategy for future leachate management is as follows:

- Continue with landfill operations and cover procedures to reduce leachate generation from precipitation to the extent possible.
- Maintain EGC membrane covers on the top of Cells 2 and 3, and those parts of Cells 4/5 as they achieve intermediate or final grades.
- VLI continues to work with Adair Village on a long term waste water treatability investigation. In 2017 Adair worked with DEQ to finalize a wastewater facility plan update. Additionally, VLI and Adair began negotiations on a long-term wastewater disposal contract.
- Continue to maintain all management options for treating leachate.

3.5 Landfill Gas Monitoring

VLI routinely monitors a total of six landfill gas monitoring probes around the perimeter of the landfill (GP-2 through GP-6), in addition to the interior of six site structures. Monitored parameters include lower explosive limit (LEL), methane, and oxygen. Levels

of percent LEL were zero for all monitoring events. Results of 2017 gas monitoring are shown in Table 3-5.

4.0 DISCUSSION

Monitoring wells at Coffin Butte Landfill are sited to assess a number of different areas around the landfill. For older areas that have undergone a focused risk assessment and feasibility study (TC, 2003a), the purpose of monitoring is to evaluate the performance of the remedy in protecting potential receptors and in restoring groundwater quality. The purpose of evaluating groundwater data at the east-side landfill cells is to determine if engineering controls (e.g., the landfill liner, cover, leachate or landfill gas [LFG] collection and removal systems) and operations are effective in preventing the release of landfill-derived compounds to the environment. Early identification of a release can mitigate those impacts relatively quickly.

With these two sets of objectives, the approach to evaluating monitoring data is slightly different for each area. In the older west-side areas, monitoring assesses the performance of the remedy in restoring groundwater quality to RACLS and in protecting potential receptors. For the active landfill on the east side, monitoring is classified as detection monitoring. Instrumental to this purpose is comparing monitoring results of indicator parameters with PSCLs and assessing the data for significant change.

4.1 West Side

For the west side, the purpose of the annual report is to assess (1) the effect of remedial actions on groundwater quality (i.e., assess progress of cleanup) and (2) protection of potential human health receptors. These are discussed in the following sections.

4.1.1 Aquifer Restoration-Contaminant Removal

Areas downgradient of the landfills on the west side rely on containment and control of the source with natural attenuation in groundwater downgradient. Contaminant removal occurs through natural processes and is measured with respect to trends of constituent concentrations with time. Cleanup levels referred to as RACLS, are the long-term goals of aquifer restoration.

4.1.1.1 Cells 1/1A

Groundwater quality along the compliance boundary of Cells 1 and 1A has been relatively stable the past few years. Continuing the trends of earlier years, most inorganic parameter concentrations have stabilized or show downward trends.

Of the inorganic compounds, chloride, TDS, iron, and manganese exceed their RACLs in several wells, but their trends continue to decline. Trends of VOCs have peaked and are declining in each of the compliance wells (most VOCs are now nondetect at standard MRLs), and none exceeded its RACL (Table 4-1). PCE continues to remain below the RACL at MW-12S. Vinyl chloride has not been detected at concentrations above its MCL since October 2004, nor was it detected at any monitoring well in 2017 above its MRL of 0.5 µg/L. From 300 to 400 feet downgradient of the compliance boundary, groundwater quality approximates background conditions in detection wells MW-17 and MW-18, indicating that contaminants attenuate significantly between the compliance boundary and those downgradient detection wells. Results for MW-19 are discussed in Section 4.1.3.

4.1.1.2 Closed Landfill

Trends of monitored parameters downgradient of the closed landfill are stable and reflect a steady improvement in groundwater quality. None of the parameters measured in 2017 indicated levels of concern with respect to water quality standards; each was below its respective RACL. On the basis of the landfill's age (approximately 37 to 69 years) and its low potential for significant leachate generation, it is expected that existing low level impacts to the aquifer will diminish with time.

4.1.2 Source Control Effectiveness

Source controls include the final cover at the landfill, leachate removal, and active landfill gas recovery to control the migration of landfill gas that contains methane and VOCs. Effectiveness can be measured qualitatively by examining (1) the trends and number of VOCs at downgradient monitoring wells and (2) whether landfill gas is migrating to perimeter gas probes.

Groundwater Quality. Since the landfill cover was installed on Cells 1/1A in 1996 and LFG removal wells installed in Cell 1 in 1994, the number and concentrations of VOCs have declined in compliance wells. Most concentrations are at very low concentrations and, with the exception of 1,4-dichlorobenzene in MW-10S, continue to decline in each of the wells. At MW-12S, PCE and TCE concentrations are declining from their peak in 2000. The reduction in the number and decrease in concentration of VOCs can be partly attributed to removal of landfill gas, which contains VOCs, and covering the landfill to prevent infiltration of rainwater through the waste pile.

Another source control measure for Cell 1 is leachate removal. Cell 1A does not have leachate removal but it has been shown that the base elevation of that cell is above the groundwater table and therefore, it is unlikely to generate leachate.

LFG Probe Results. Probe monitoring shows that LFG does not migrate laterally away from the landfill, but is being contained by the gas recovery wells. Gas recovery

rates for Cell 1 are monitored routinely by Pacific Northwest Generating Cooperative as part of optimizing flow and maximizing methane recovery for the gas-to-energy plant.

4.1.3 Plume Stabilization

The stability of the VOC plume can be evaluated qualitatively by examining whether concentrations at impacted wells are increasing and whether monitoring wells downgradient of the VOC plume detect VOCs. Both criteria suggest a stable to shrinking plume as concentrations are declining within the plume and, except for MW-19, wells outside the plume have not detected VOCs. At MW-19, trace to low concentrations of PCE, TCE and 1,1-DCA have been detected since 2011. These detections and increases in some of the inorganic parameters suggest that residual concentrations from the plume have migrated through to this downgradient well. However, significant concentrations are not expected since upgradient of MW-19 at MW-11S/11D, both PCE and TCE have been nondetect since 1999 and 1,1-DCA has been nondetect or detected at trace concentrations below the MRL since 2006.

Continued retraction of the extent of VOCs is also indicated by recent declines to nondetect or trace levels (at MRL of 0.5 µg/L) within the last few years for:

- 1,1-DCA in MW-10D and MW-11S/MW-11D
- Chloroethane in MW-10S/10D and MW-11S/11D
- Cis-1,2-DCE in MW-10D and MW-11S/11D
- Vinyl chloride in MW-10S/10D and MW-11S/11D

4.1.4 Protectiveness Monitoring

Protectiveness is assessed at two locations: at the Phillips domestic well and at P-8, which is spatially between the domestic well and the landfill. Trend plots for indicator parameters for these wells can be found in Appendix C. Analytical results for the Phillips well were either nondetect or significantly below safe drinking water standards for inorganics and metals (see tables in Appendix B). No VOCs were detected. Trends of indicator parameters do not show significant upward movement suggestive of impacts from the landfill.

Early warning detection monitoring well P-8 is located between the landfill and the Phillips well, near the hydrogeologic divide that protects the domestic well from landfill-contaminant migration. None of the indicator parameter trends for that well suggest significant changes in groundwater quality and no VOCs were detected in 2017. In the October 2016 event, chloride had a higher concentration at 18 mg/L, compared to more typical concentrations of 10 to 11 mg/L. In 2017, the chloride concentration returned to its normal range.

4.2 East Side

For the east side, VLI finished collecting background data for new compliance wells MW-26 and MW-27 in the fall of 2013. VLI then submitted a statistical review of the data (TC, 2014a) and after meeting with the DEQ to discuss the methods and results, updated the EMP with the proposed methods for assessing groundwater quality in this part of the landfill. As presented in the EMP, the east-side multiunit cells are evaluated primarily with SSLs developed for seven site-specific indicator parameters. These were calculated as prediction limits consistent with EPA's Unified Guidance (EPA, 2009) and are based on intrawell statistics with the intent of identifying a change from the initial (i.e., historical) sample population for each well. In addition to the SSLs, hazardous compounds are compared to their primary drinking water maximum contaminant levels (MCLs). For vinyl chloride, a detection at or above the practical quantitation limit (currently at 0.5 µg/L) is considered exceeding the action limit (AL) requiring further action, such as resampling.

Sampling results at MW-26 and MW-27 are compared with SSLs in Table 4-2 for the period from 2014 to 2017. Only magnesium in MW-26 was nominally above its SSL in 2017, all other were below their limits and no significant changes were noted. The trend for magnesium in this well is very flat (page C-133), which statistically results in a low variance and tight prediction limit.

4.3 Comparison to Water Quality Standards

This section discusses results at detection and compliance wells for the east and west side with regard to water quality standards. Table 4-3 lists monitoring results that exceeded a water quality standard. Additionally, the water quality summary tables in Appendix B list relevant water quality standards at the head of each column.

Primary Maximum Contaminant Levels (MCLs). Of federal or state primary MCLs (health-based), concentrations for arsenic exceeded the primary MCL of 10 µg/L at eastside compliance wells MW-26 and MW-27 both sampling events. Based on knowledge of groundwater quality in this part of the site, the arsenic is naturally occurring at this level. The arsenic concentration in detection well MW-23 also exceeded the primary MCL of 10 µg/L both sampling events. Arsenic has declined at MW-23 since approximately 2000 to background levels; concentrations this past year were comparable to naturally-occurring concentrations at MW-26 and MW-27 (see trend plot at page C-137). No primary MCLs were exceeded at west-side wells for VOCs, trace metals or inorganic parameters.

Secondary MCLs. Federal and state secondary MCLs (non-health-based) were exceeded at wells MW-26 and MW-27 downgradient of Cell 4 for iron and manganese, and at detection well MW-23. The concentrations at MW-26 and MW-27 represent natural conditions based on site knowledge.

At the west-side compliance boundary and detection wells, the secondary MCLs were exceeded as follows:

- Chloride at MW-10S where the trend continues to decline; and detection well MW-19.
- TDS at well pairs MW-10S/10D and MW-11S/11D; and detection well MW-19.
- Manganese at wells MW-10D, MW-12S, MW-20, and MW-21.
- Iron at MW-12S both events.

5.0 MONITORING PLAN MODIFICATIONS AND RECOMMENDATIONS

In last year's annual report, we recommended discontinuing sampling at the underdrains for Cells 4 and 5, which was implemented this year. VLI will continue to track concentrations of indicator parameters at the underdrain for the west leachate pond.

No changes to the monitoring network or sampling plan are recommended.

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LIMITATIONS

The services described in this report were performed consistent with generally accepted professional consulting principles and practices. No other warranty, express or implied, is made. These services were performed consistent with our agreement with our client. This report is solely for the use and information of our client unless otherwise noted. Any reliance on this report by a third party is at such party's sole risk.

Opinions and recommendations contained in this report apply to conditions existing when services were performed and are intended only for the client, purposes, locations, time frames, and project parameters indicated. We are not responsible for the impacts of any changes in environmental standards, practices, or regulations subsequent to performance of services. We do not warrant the accuracy of information supplied by others, nor the use of segregated portions of this report.

The purpose of a geologic/hydrogeologic study is to reasonably characterize existing site conditions based on the geology/hydrogeology of the area. In performing such a study, it is understood that a balance must be struck between a reasonable inquiry into the site conditions and an exhaustive analysis of each conceivable environmental characteristic. The following paragraphs discuss the assumptions and parameters under which such an opinion is rendered.

No investigation is thorough enough to describe all geologic/ hydrogeologic conditions of interest at a given site. If conditions have not been identified during the study, such a finding should not therefore be construed as a guarantee of the absence of such conditions at the site, but rather as the result of the services performed within the scope, limitations, and cost of the work performed.

We are unable to report on or accurately predict events that may change the site conditions after the described services are performed, whether occurring naturally or caused by external forces. We assume no responsibility for conditions we were not authorized to evaluate, or conditions not generally recognized as predictable when services were performed.

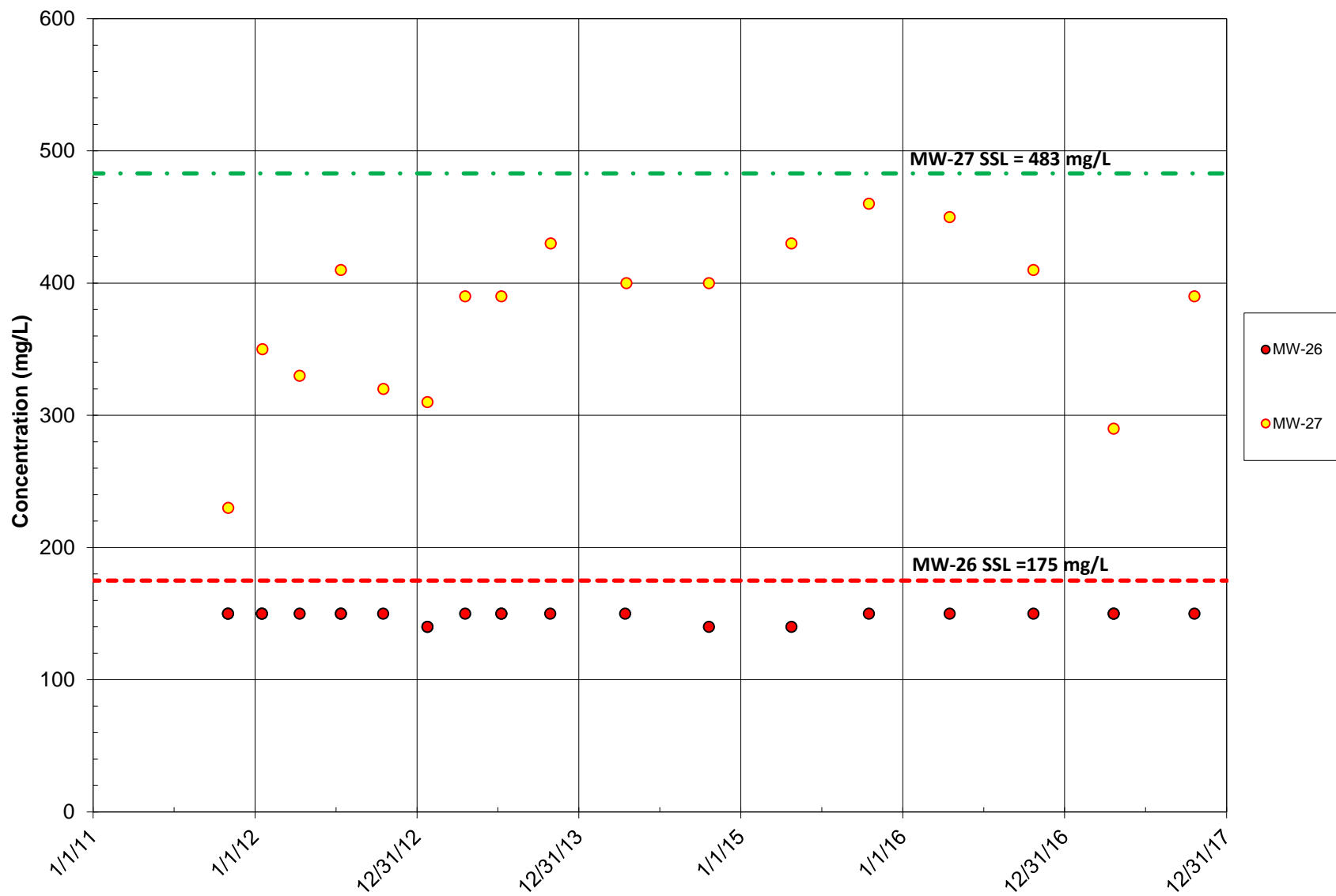
Geologic/hydrogeologic conditions may exist at the site that cannot be identified solely by visual observation. Where subsurface exploratory work was performed, our professional opinions are based in part on interpretation of data from discrete sampling locations that may not represent actual conditions at unsampled locations.

Table 4-2
Comparison of Sampling Results with SSLs
East Side Compliance Wells
2017 Annual Environmental Monitoring Report
Coffin Butte Landfill

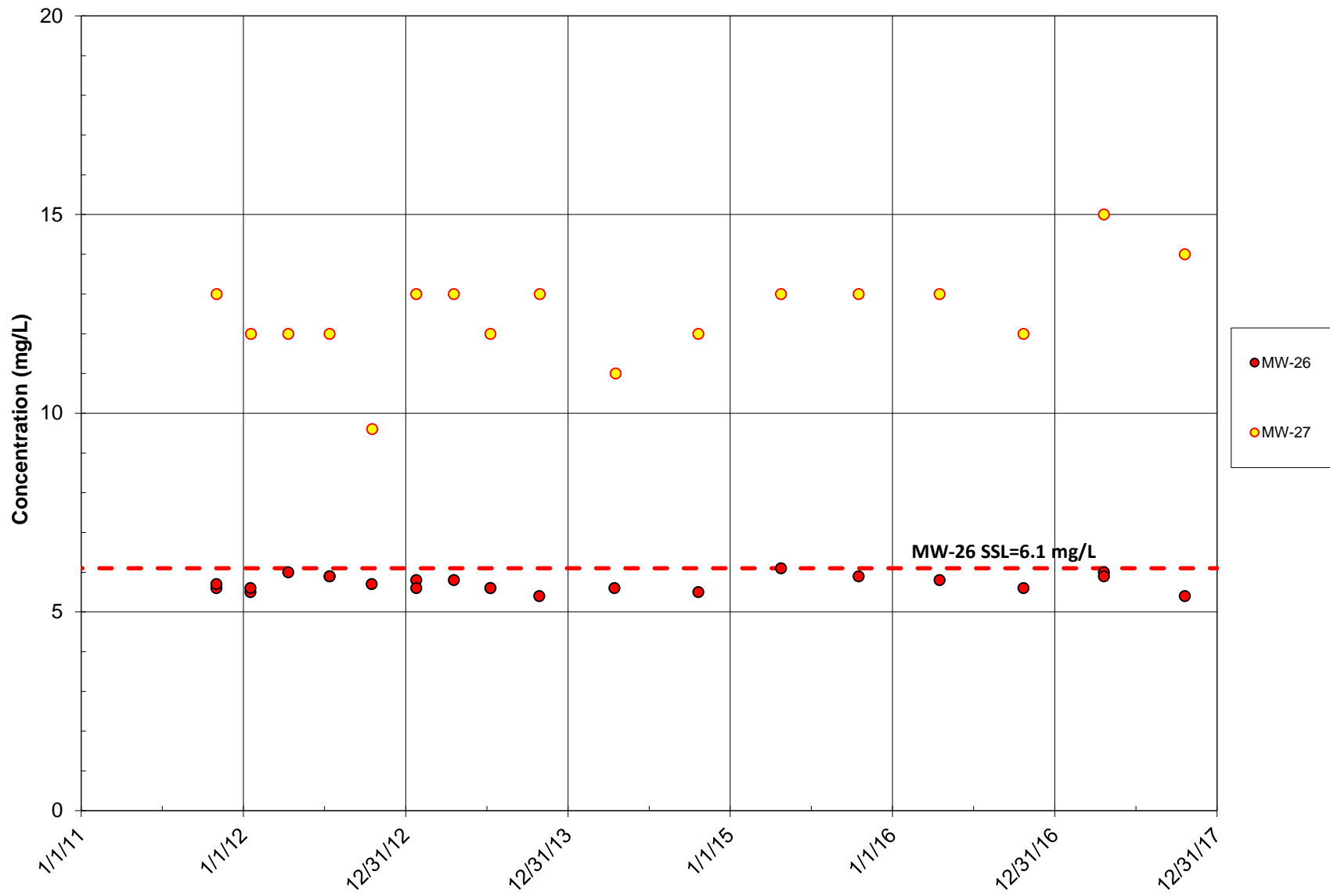
Units	Indicator Parameters							
	Bicarbonate Alkalinity (mg/L)	Chloride (mg/L)	TDS (mg/L)	Calcium (mg/L)	Iron (mg/L)	Magnesium (mg/L)	Manganese (mg/L)	Sodium (µg/L)
MW-26 SSL	175	6.1	246	32	—	9.8	0.74	29
4/15/14	150	5.6	180	23	0.35	8.3	0.46	28
4/15/14 DEQ	142	6.2	192	24.7	0.401	9.1	0.534	27.8
10/21/14	140	5.5	190	24	0.51	9.8	0.64	29
4/25/15	140	6.1	190	23	0.29	9.3	0.45	28
10/17/15	150	5.9	200	26	1.1	9.9	0.66	30
4/16/16	150	5.8	180	24	0.19	9.1	0.53	27
10/22/16	150	5.6 J	190	24	0.53	9.4	0.65	26
4/21/17	150	6.0	180	24	0.36	8.6	0.41	27
10/20/17	150	5.4	210	23	0.51	10.0	0.62	27
MW-27 SSL	483	—	498	98	19	44	8.1	46
4/18/14	400	11	420	88	16	41	8.1	40
10/21/14	400	12	460	87	13	39	6.8	40
4/25/15	430	13	470	86	13	42	8.2	40
10/17/15	460	13	490	92	13	41	8.2	42
4/16/16	450	13	480	86	5.3	40	7.2	37
10/22/16	410	12 J	440	79	4.9	34	6.8	35
4/21/17	290	15	310	45	0.49	19	3.1	28
10/20/17	390	14	430	61	4.0	29	5.4	32

Note:
 SSL: site specific limit
 Bold Values: above SSL.

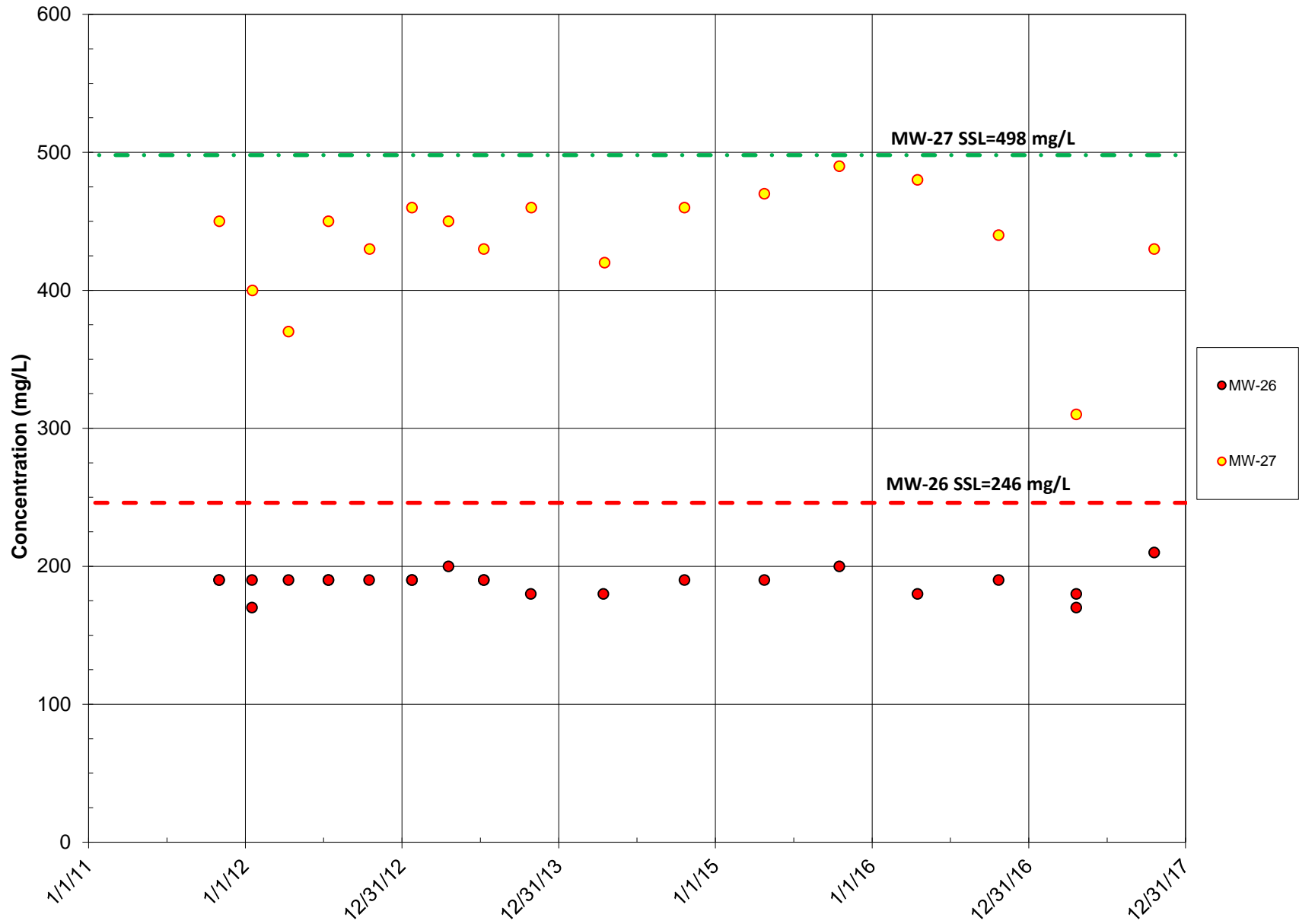
Coffin Butte Landfill East-Side Wells: Bicarbonate Alkalinity



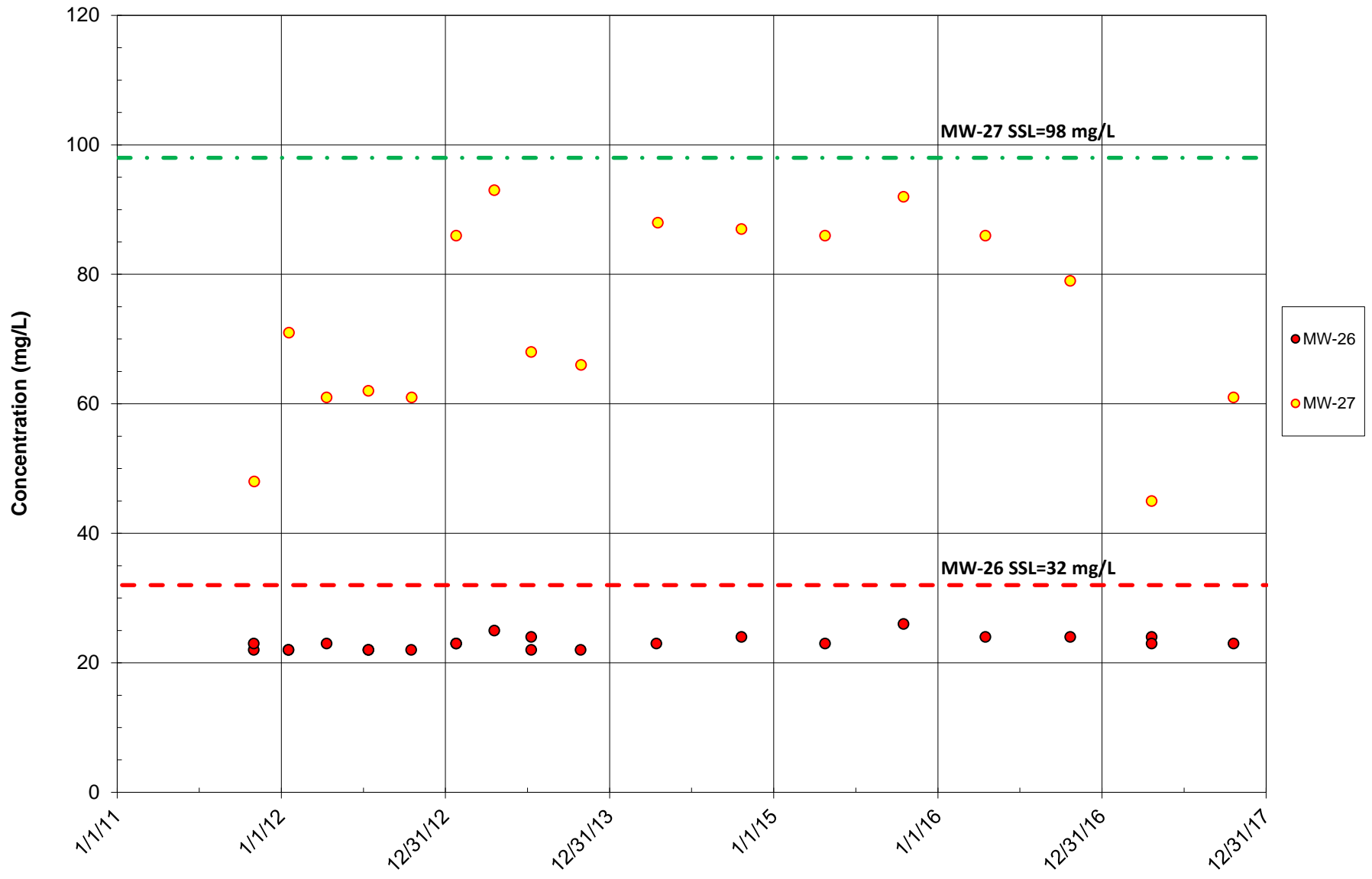
Coffin Butte Landfill East-Side Wells: Chloride



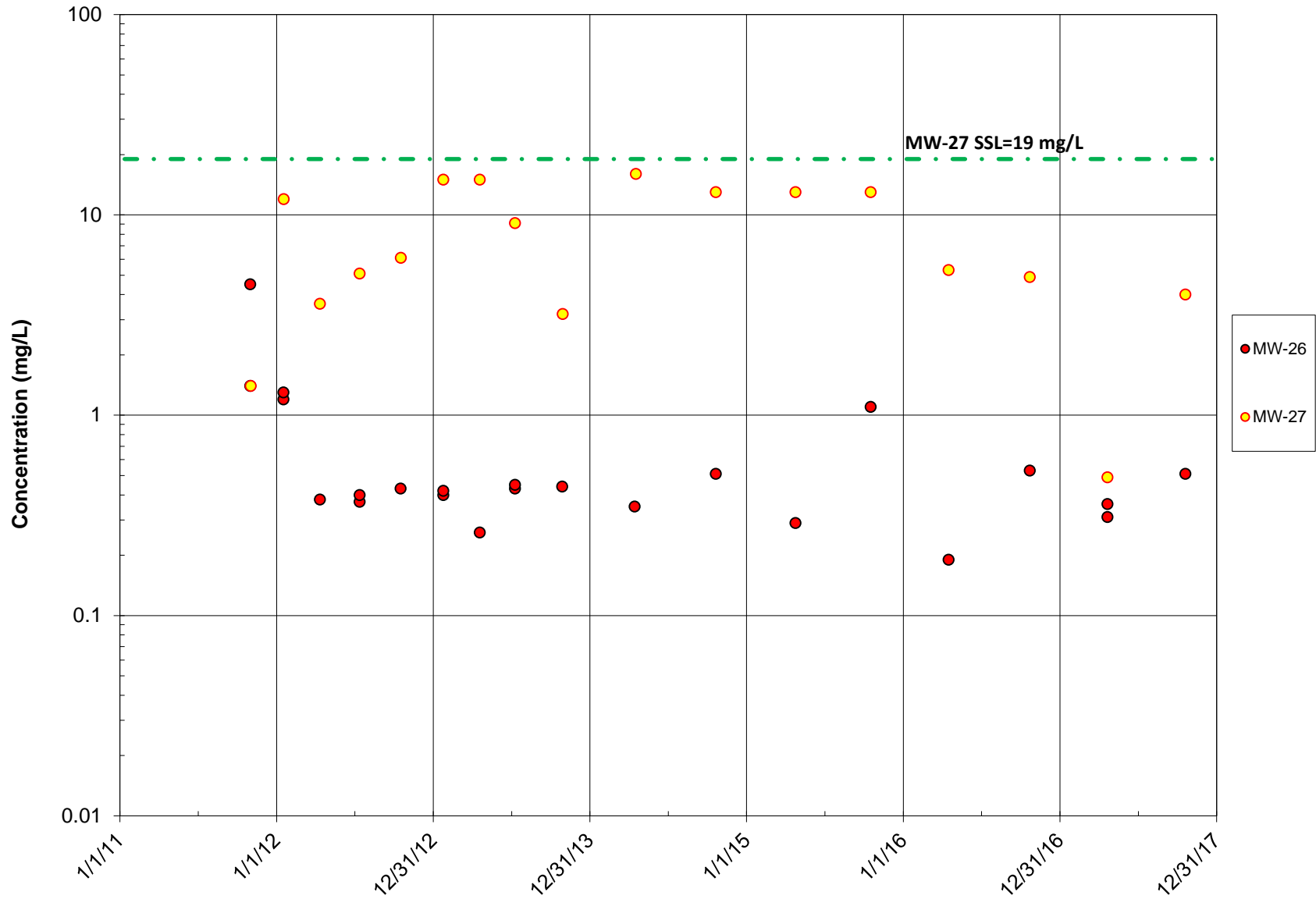
Coffin Butte Landfill East Side Wells: Total Dissolved Solids



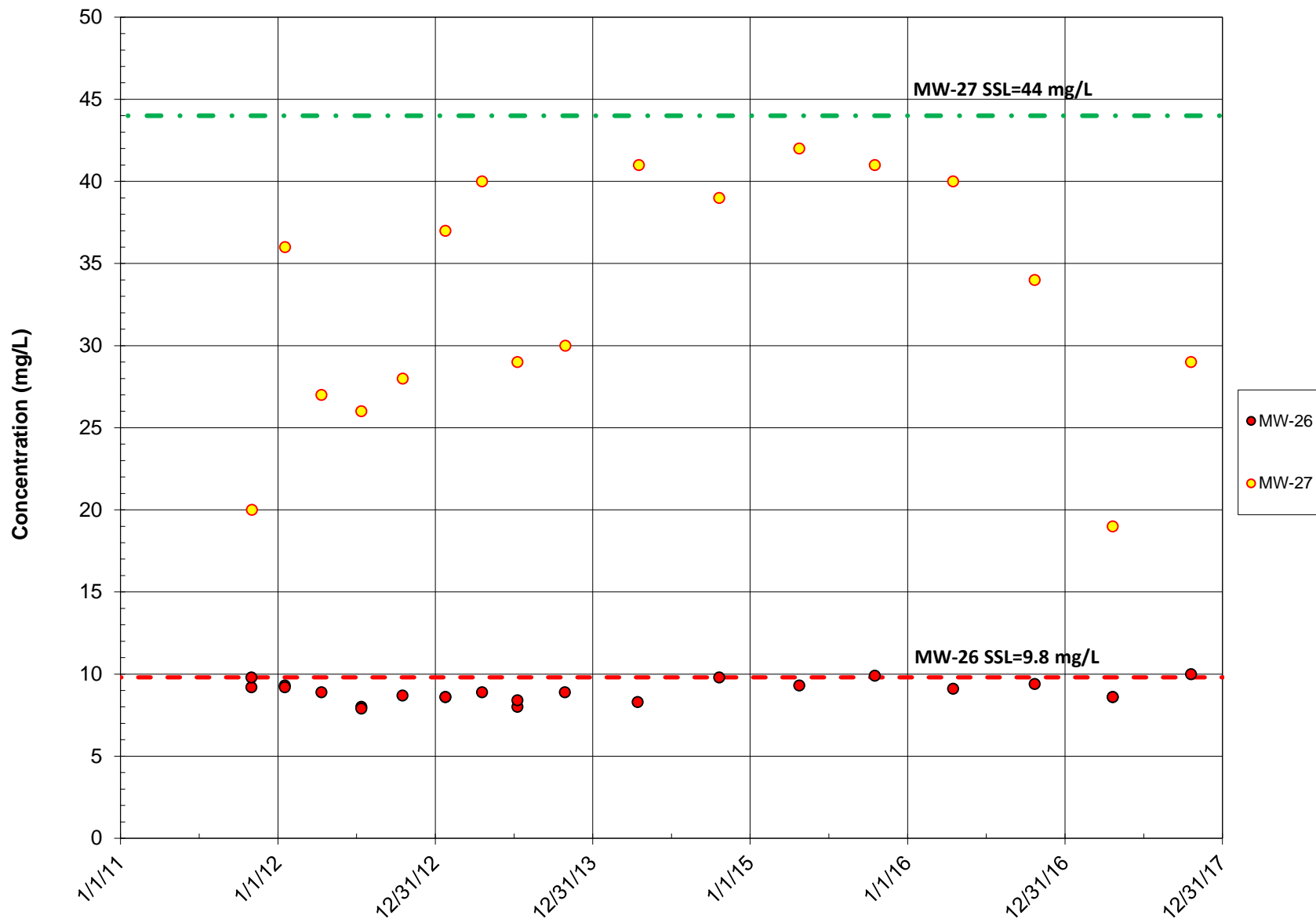
Coffin Butte Landfill East-Side Wells: Calcium



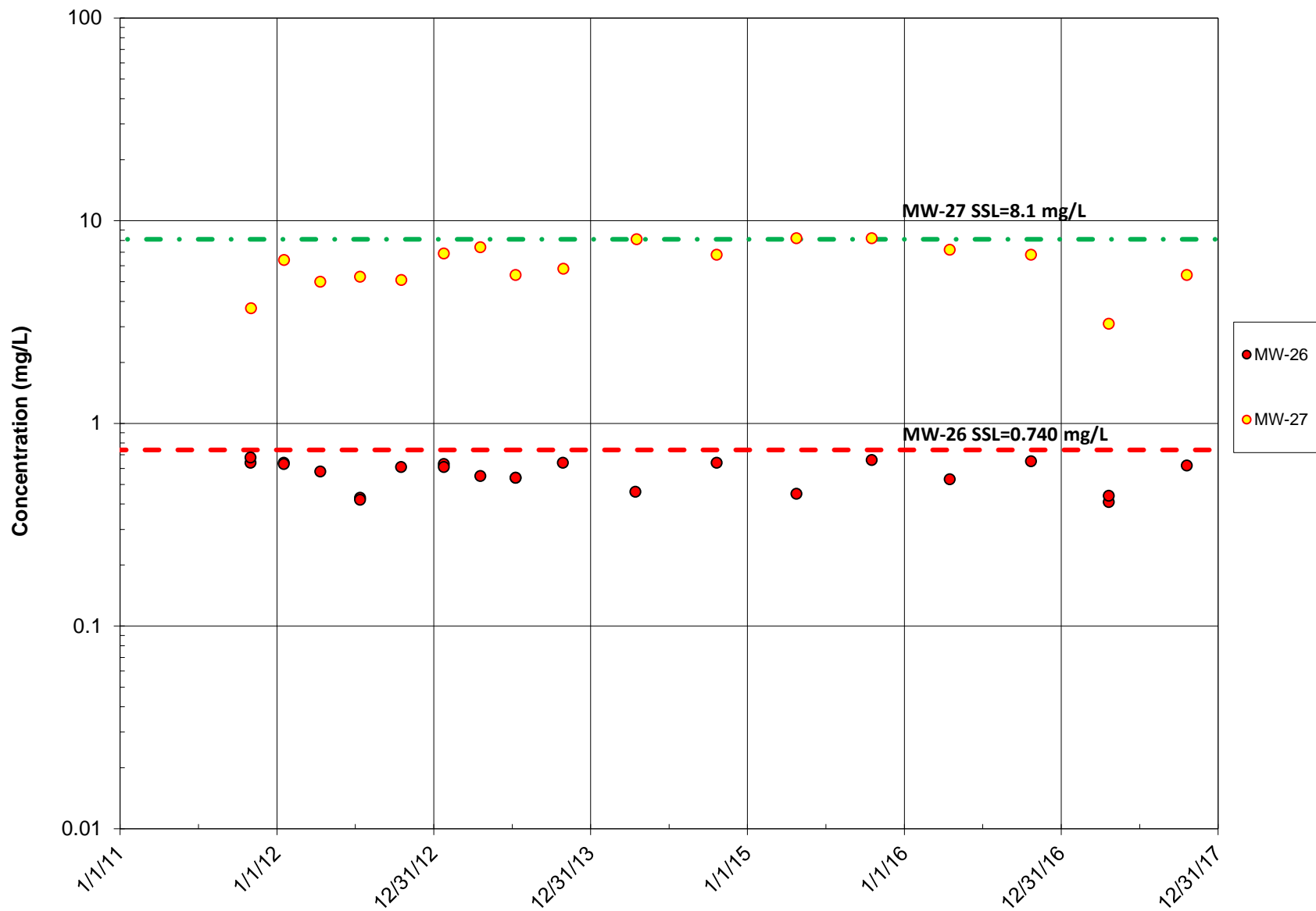
Coffin Butte Landfill East-Side Wells: Iron



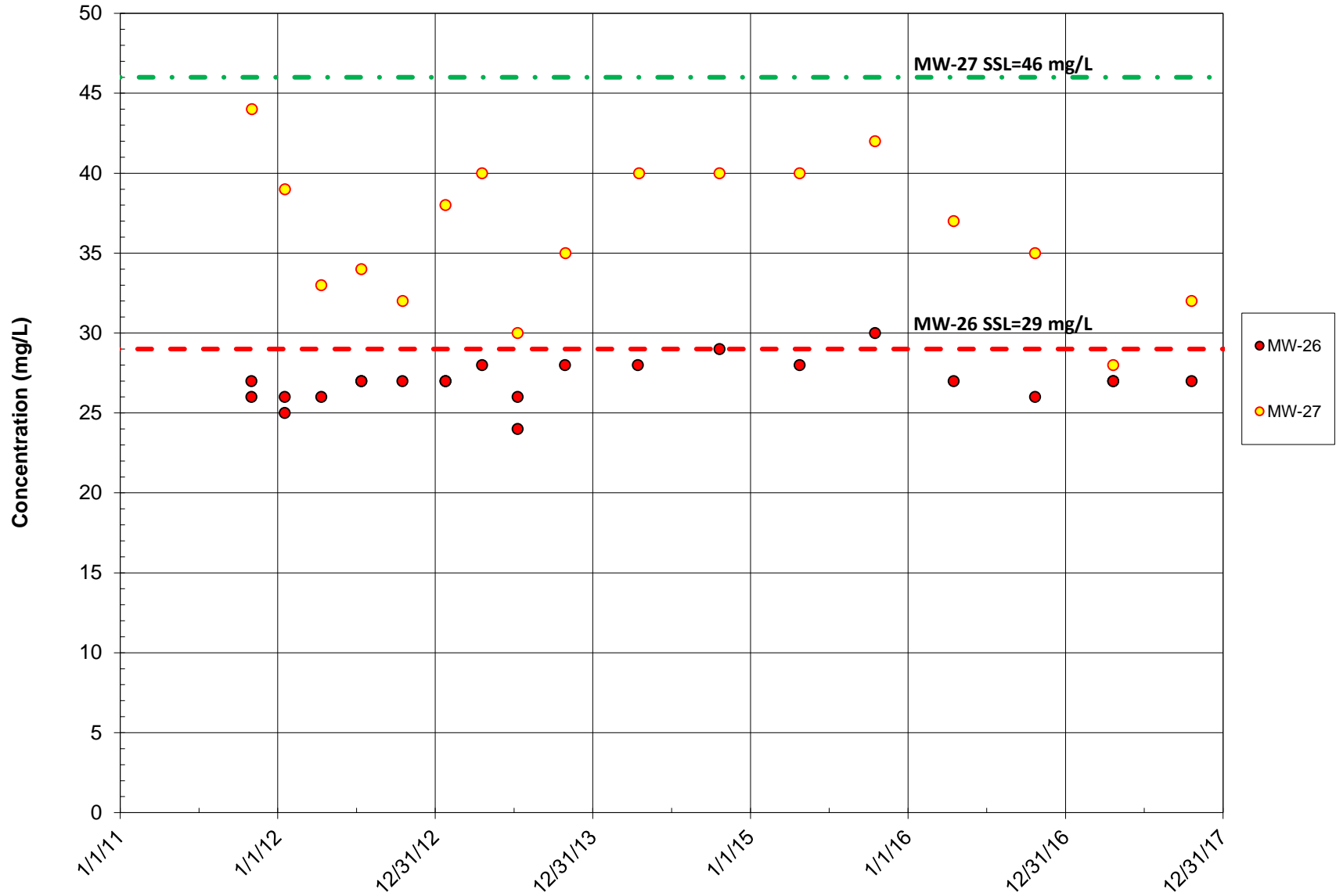
Coffin Butte Landfill East-Side Wells: Magnesium



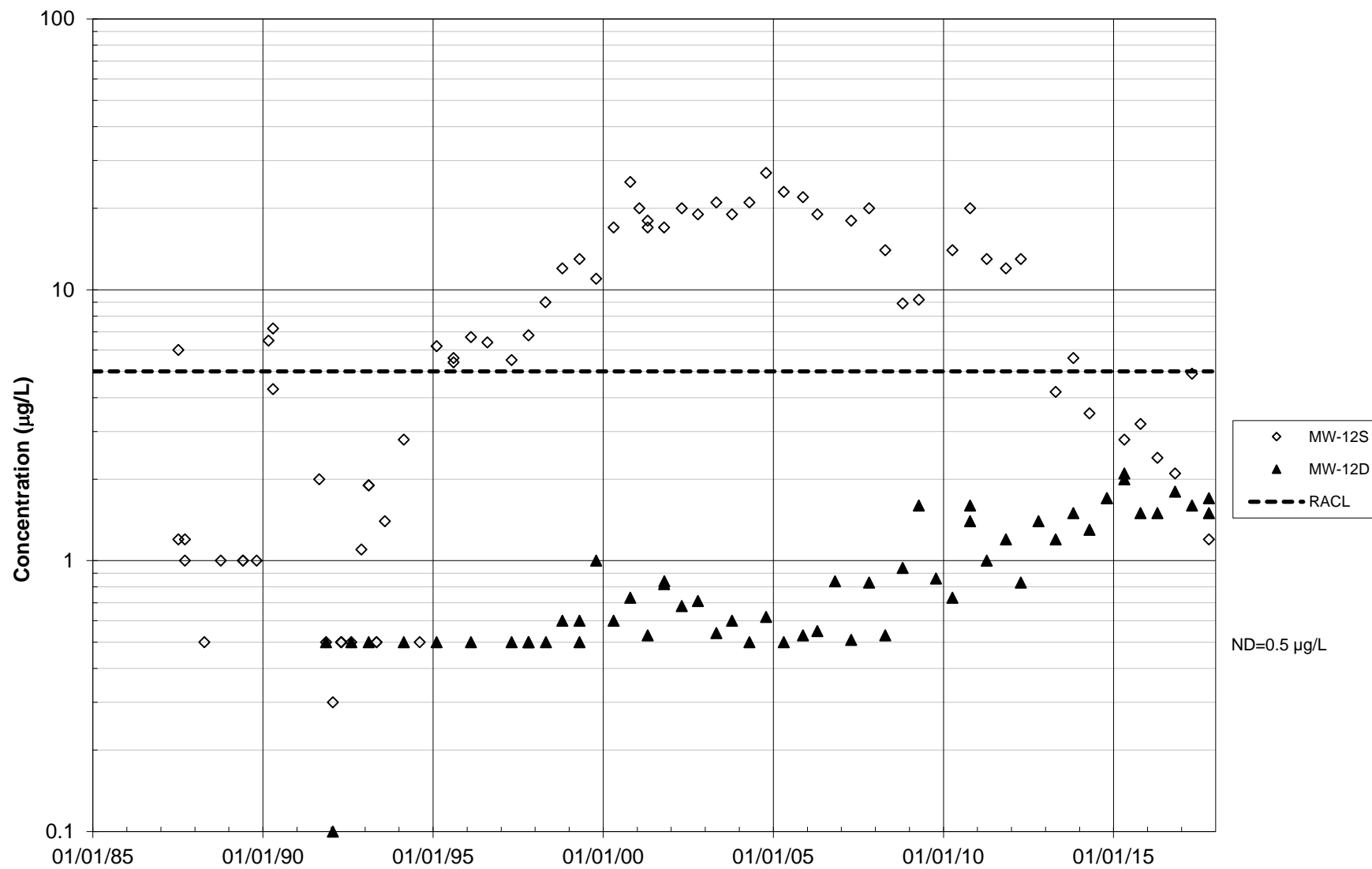
Coffin Butte Landfill East-Side Wells: Manganese



Coffin Butte Landfill East-Side Wells: Sodium

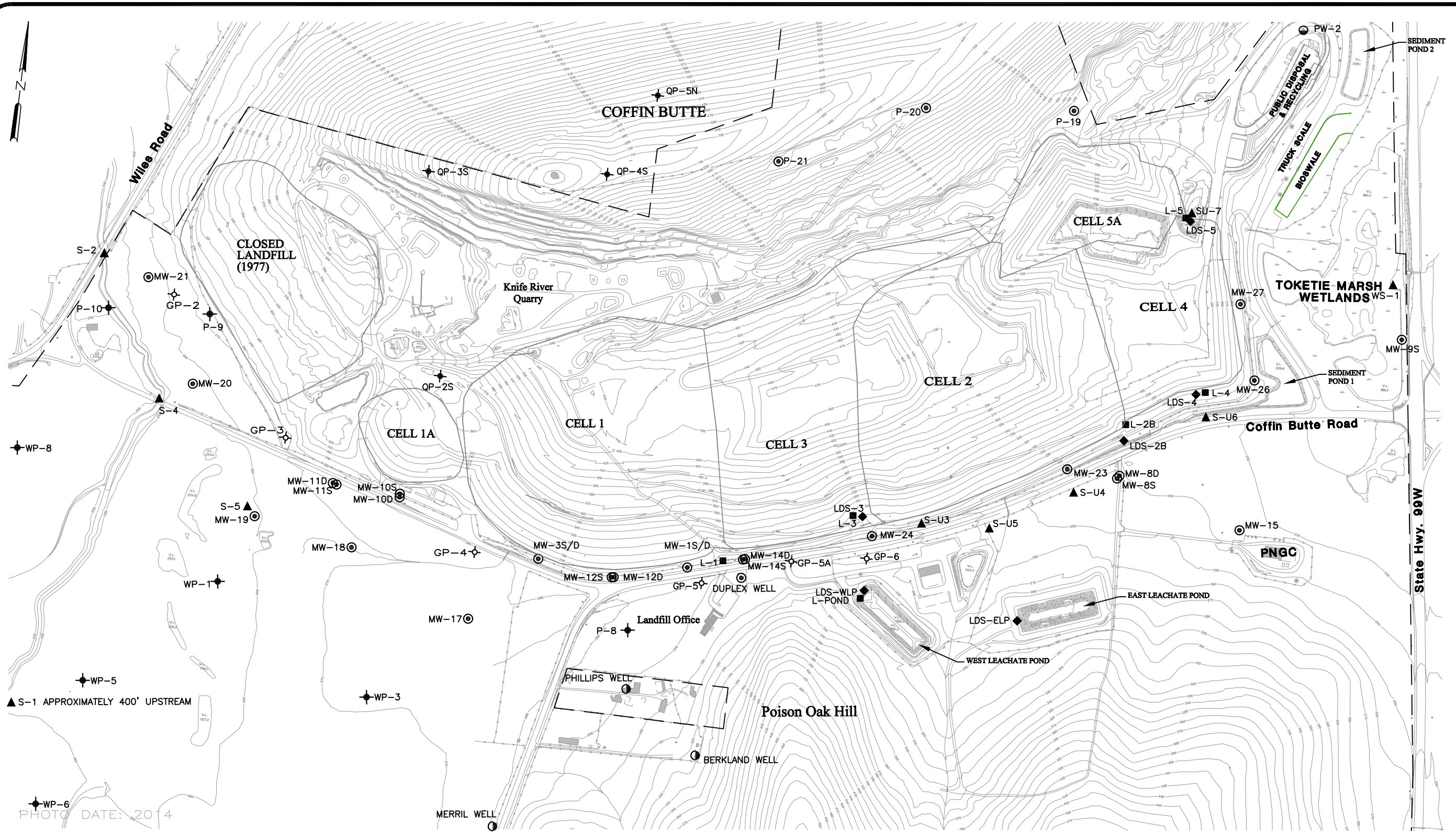


Coffin Butte Landfill
MW-2S/12S and MW-2D/12D: PCE

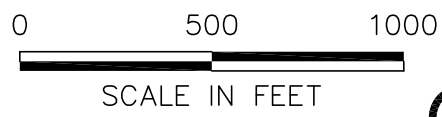


APPENDIX B

SITE MAP AND WELL LOCATIONS



- | | | | |
|---|-----------------------------|---|----------------------------------|
| ⊙ | MONITORING WELL/PIEZOMETER | ● | PRIVATE WELL |
| ⊕ | OBSERVATION WELL/PIEZOMETER | ■ | LEACHATE SUMP |
| ⊖ | LANDFILL WATER SUPPLY WELL | ◆ | LEAK DETECTION SYSTEM |
| ⊗ | GAS PROBE | ▲ | SURFACE WATER MONITORING STATION |



Tuppan Consultants LLC
460 Second Street, Suite 103
Lake Oswego, Or 97034
Ph. 503.675.1335

DATE 6-26-14
DWN GRH
APP _____
REV _____
PROJECT NO.
VLI-001-005

FIGURE 2-1
COFFIN BUTTE LANDFILL
BENTON COUNTY, OREGON
Site Map and Monitoring Locations

PHOTO DATE: 2014

APPENDIX C

CERTIFICATE OF INSURANCE



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/27/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER CANNON COCHRAN MANAGEMENT SERVICES, INC. 17015 N. SCOTTSDALE RD. SCOTTSDALE, AZ 85255	CONTACT NAME:		
	PHONE (A/C No.Ext):	FAX (A/C No.Ext):	
E-MAIL ADDRESS: certificateteam@ccmsi.com			
INSURED REPUBLIC SERVICES, INC. 18500 N. ALLIED WAY PHOENIX, AZ 85054	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: ACE American Insurance Co.		22667
	INSURER B: Indemnity Insurance Company of NA		43575
	INSURER C: ACE Fire Underwriters		20702
	INSURER D: Illinois Union Insurance Company		27960
	INSURER E: ACE Property and Casualty Insurance Co		20699
INSURER F:			

COVERAGES

CERTIFICATE NUMBER: 1236229

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC			HDO G27867789	06/30/2017	06/30/2018	EACH OCCURRENCE \$ 5,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 5,000,000 MED EXP (Any one person) PERSONAL & ADV INJURY \$ 5,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS -COMP/OP AGG \$ 5,000,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			ISA H0906073A	06/30/2017	06/30/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 5,000,000 BODILY INJURY(Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
E	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$			G46782148 001	06/30/2017	06/30/2018	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
B A C A D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WLR C64412917 - AOS WLR C64412905 - CA/MA/OR SCF C64412929 - WI WCU C64412899 - OH XS TNS C49166436 - TX NSXS	06/30/2017 06/30/2017 06/30/2017 06/30/2017	06/30/2018 06/30/2018 06/30/2018 06/30/2018	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 3,000,000 E.L. DISEASE -EA EMPLOYEE \$ 3,000,000 E.L. DISEASE -POLICY LIMIT \$ 3,000,000
	Contractor's Pollution Liability:			See page 2 for details	06/30/2017	06/30/2018	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Division Number: 4125 - Named Insured Includes: Valley Landfills, Inc. - DbA: Coffin Butte LF

CERTIFICATE HOLDERBenton County, Oregon, Chairman of the Board of Commissioners
408 SW Monroe Avenue, Suite 111
PO Box 3020
Corvallis, OR 97339-3020
United States**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



ADDITIONAL REMARKS SCHEDULE

AGENCY POLICY NUMBER See First Page CARRIER See First Page	NAMED INSURED REPUBLIC SERVICES, INC. 18500 N. ALLIED WAY PHOENIX, AZ 85054 EFFECTIVE DATE:
NAIC CODE	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM.

FORM NUMBER: 25 FORM TITLE: CERTIFICATE OF LIABILITY INSURANCE

The following provisions apply when required by written contract. As used below, the term certificate holder also includes any person or organization that the insured has become obligated to include as a result of an executed contract or agreement.

GENERAL LIABILITY:

Certificate holder is Additional Insured when required by written contract.
 Coverage is primary and non-contributory when required by written contract.
 Waiver of Subrogation in favor of the certificate holder is included when required by written contract.

AUTO LIABILITY:

Certificate holder is Additional Insured when required by written contract.
 Waiver of Subrogation in favor of the certificate holder is included when required by written contract.

WORKERS COMPENSATION AND EMPLOYERS LIABILITY:

Waiver of Subrogation in favor of the certificate holder is included when required by written contract where allowed by state law.
 Stop gap coverage for ND, WA and WY is covered under policy no. WLR C64412917 and stop gap coverage for OH is covered under policy no. WCU C64412899, as noted on page 1 of this certificate.

TEXAS EXCESS INDEMNITY AND EMPLOYERS LIABILITY:

Republic Services, Inc. and its subsidiaries are registered non-subscribers to the Texas Workers Compensation Act. Republic Services, Inc. has filed an approved Indemnity Plan with the Texas Department of Insurance which offers an alternative in benefits to employees rather than the traditional Workers Compensation Insurance in Texas. The excess policy (#TNS C49166436) shown on this certificate provides excess Indemnity and Employers Liability coverage for the approved Indemnity Plan.

Contractual Liability is included in the General Liability and Automobile Liability coverage forms. The General Liability and Automobile Liability policies do not contain endorsements excluding Contractual Liability.

Separation of Insured (Cross Liability) coverage is provided to the Additional Insured, when required by written contract, per the Conditions of the Commercial General Liability Coverage form and the Automobile Liability Coverage form.

The Umbrella/Excess Liability policy is follow form over the General Liability, Automobile Liability and Employer's Liability policies shown on this certificate.

Insurer Affording Pollution Coverage - Tokio Marine Specialty Insurance Co. (NAIC # 23850) Policy No. PPK1670023

Contracting Operations Environmental Liability - \$10,000,000 Per Contamination Incident/\$10,000,000 General Aggregate
 Professional Liability - \$10,000,000 Per Incident/\$10,000,000 General Aggregate
 Image Restoration - \$25,000 Per Contamination Incident

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
 (Page 1 of 2)

Item #
6.2

This document must be completed for each agenda item submitted for consideration by the Board of Commissioners at any meeting where a Board quorum is expected.

Suggested Placement for this Agenda Item:

- BOC Tuesday Meeting
 Other: _____

Suggested Agenda Date: September 4, 2018

Department Submitting: Counsel

Short Title of Agenda Item: **Consideration of an Order Dissolving Emergency Medical Advisory Committee**

Contact Person: Vance Croney

Phone Extension: 6661

Person Attending BOC Meeting (REQUIRED):
Vance Croney

Person(s) Who Should Receive Signed Documents After Meeting:

This Item Involves: (Check all that apply for this meeting.)	
<input type="checkbox"/> Order/Resolution/Proclamation	<input type="checkbox"/> Appointments
<input type="checkbox"/> Ordinance/Public Hearing:	<input type="checkbox"/> Update on Project/Committee
<input type="checkbox"/> 1st Reading <input type="checkbox"/> 2nd Reading	<input type="checkbox"/> Discussion Only
<input type="checkbox"/> Public Comment Anticipated: Estimated Time	<input checked="" type="checkbox"/> Discussion & Action 5 min. Estimated Time
<input type="checkbox"/> Document Recording Required	<input type="checkbox"/> Special Report:
<input type="checkbox"/> Contract/Agreement/Bylaws	<input type="checkbox"/> Oral <input type="checkbox"/> Written

If appropriate, have Boards/Committees been involved?

- Yes No Not Applicable

If yes, address under Salient Issues, page 2.

If appropriate, has this agenda/item been advertised?

- Yes No Not Applicable

Names of Publications _____

Dates of Publication: _____

Reviewed By: (Signature and Date Required)

[Signature] 8/27/18 Department Head
DATE

Required for all BOC meetings

_____ County Administrator
DATE

Required for all BOC meetings

[Signature] 8-23-18 County Counsel
DATE

Required for all legal documents

_____ Budget Office
DATE

If appropriate

_____ Human Resources
DATE

Required for all personnel actions

[Signature] 8/22/18 BOC Administration
DATE

Required for all BOC meetings

Provide one original or send electronically to Board Staff.

DO NOT USE STAPLES!

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
(Page 2 of 2)

DATE OF MEETING:

September 4, 2018

TITLE OF AGENDA ITEM:

Consideration of an order Dissolving Emergency Medical Advisory Committee

IDENTIFIED SALIENT ISSUES:

The Chair of the Emergency medical Advisory Committee (EMAC) Rich Saalsaa, Charlie Fautin and Mitch Anderson, along with the Fire Chiefs of both Corvallis and Albany recommend dissolving EMAC. EMAC's purpose of reviewing annual reports from the franchises can easily be handled by Health Department staff.

The length of the franchise agreements is now up to 10 years, so preparing RFP's for a new agreement is no longer something this committee needs to do. The committee has discussed dissolution and agrees that step is appropriate.

OPTIONS:

- 1) Decline to dissolve EMAC.
- 2) Approve the dissolution of this advisory committee.

FISCAL IMPACT:

None

STAFF RECOMMENDATIONS:

Staff recommends dissolving EMAC.

SUGGESTED MOTION(S):

I move to approve the Order dissolving the Emergency Medical Advisory Committee.

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

**In the Matter of Dissolving the) ORDER No. D2018-086
EMERGENCY MEDICAL ADVISORY COMMITTEE)**

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

WHEREAS, due to changes to the means of selecting ambulance service providers, the length of service provider franchise agreements and the reduced oversight role of Emergency Medical Advisory Committee (EMAC), Benton County no longer has a need for EMAC; and

WHEREAS, EMAC is neither a necessary nor meaningful committee for providing input to the Board of Commissioners or the Health Administrator on emergency medical services; and

WHEREAS, EMAC has no purpose and, accordingly, it is in the public interest to formally dissolve the county Emergency Medical Advisory Committee.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Benton County Emergency Medical Advisory Committee be dissolved, effective January 1, 2019.

Adopted this 4th day of September, 2018.

Signed this 4th day of September, 2018.

BENTON COUNTY BOARD OF COMMISSIONERS

Xanthippe Augerot, Chair

Annabelle Jaramillo, Commissioner

Anne Schuster, Commissioner

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
 (Page 1 of 2)

Item #
[REDACTED]

This document must be completed for each agenda item submitted for consideration by the Board of Commissioners at any meeting where a Board quorum is expected.

Suggested Placement for this Agenda Item:

- BOC Tuesday Meeting
 Other: _____

Suggested Agenda Date: September 4, 2018

Department Submitting: Counsel

Short Title of Agenda Item: Ordinance No. 2018-287

**Amending Benton County Code Chapter 19,
 Ambulance Service Area Plan**

Contact Person: Vance Croney

Phone Extension: 6661

Person Attending BOC Meeting (REQUIRED):

Vance Croney

Person(s) Who Should Receive Signed Documents

After Meeting:

This Item Involves: (Check all that apply for this meeting.)	
<input type="checkbox"/> Order/Resolution/Proclamation	<input type="checkbox"/> Appointments
<input checked="" type="checkbox"/> Ordinance/Public Hearing:	<input type="checkbox"/> Update on Project/Committee
<input checked="" type="checkbox"/> 1st Reading <input type="checkbox"/> 2nd Reading	<input type="checkbox"/> Discussion Only
<input type="checkbox"/> Public Comment Anticipated:	<input type="checkbox"/> Discussion & Action
Estimated Time	Estimated Time
<input type="checkbox"/> Document Recording Required	<input type="checkbox"/> Special Report:
<input type="checkbox"/> Contract/Agreement/Bylaws	<input type="checkbox"/> Oral <input type="checkbox"/> Written

If appropriate, have Boards/Committees been involved?

- Yes No Not Applicable

If yes, address under Salient Issues, page 2.

If appropriate, has this agenda/item been advertised?

- Yes No Not Applicable

Names of Publications _____

Dates of Publication: _____

Reviewed By: (Signature and Date Required)

[Signature] 8/27/18 Department Head
DATE

Required for all BOC meetings

DATE County Administrator

Required for all BOC meetings

[Signature] 8-23-18 County Counsel
DATE

Required for all legal documents

DATE Budget Office

If appropriate

DATE Human Resources

Required for all personnel actions

[Signature] 8/23/18 BOC Administration
DATE

Required for all BOC meetings

Provide one original or send electronically to Board Staff.

DO NOT USE STAPLES!

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
(Page 2 of 2)

DATE OF MEETING:

September 4, 2018

TITLE OF AGENDA ITEM:

Ordinance No. 2018-287 Amending Benton County Code Chapter 19, Ambulance Service Area Plan

IDENTIFIED SALIENT ISSUES:

Emergency Medical Advisory Committee (EMAC), the fire chiefs from Corvallis and Albany and the Health Dept. all recommend dissolving the EMAC because it no longer serves a useful role. In order to complete the dissolution process, Benton County Code, ch. 19 Ambulance Service Area Plan, must be amended to remove the requirement that EMAC be established.

In addition to removing references to EMAC, the amendments to BCC ch. 19 will shift plan and franchise oversight and reporting responsibility to the Health Department.

OPTIONS:

- 1) Vote to amend BCC ch. 19 to remove reference to EMAC.
- 2) Approve the ordinance amending BCC ch. 19 removing reference to EMACE.

FISCAL IMPACT:

None

STAFF RECOMMENDATIONS:

Approve the ordinance.

SUGGESTED MOTION(S):

I move to enact Ordinance No. 2018-287 amending Benton County Code Chapter 19, Ambulance Service Area Plan and to conduct a first reading.

CHAPTER 19

AMBULANCE SERVICE AREA PLAN

ADMINISTRATION

19.005 Ambulance Service Area Plan. The Board of Commissioners, acting as the Board of Health (Board), has adopted an Ambulance Service Area (ASA) Plan as required by state law. Whenever this Chapter and the Plan conflict, this Chapter shall be controlling. [Ord. 91-0085]

~~**19.010 Benton County Emergency Medical Advisory Committee.** The Board hereby establishes the Benton County Emergency Medical Advisory Committee. The Board shall adopt bylaws for this Committee by order. The members of the Committee shall be appointed by the Board. The Committee shall have the powers and duties specified in the Ambulance Service Area Plan. [Ord. 91-0085]~~

19.015 Assignment of ASAs. The Board shall assign, by order, an ambulance service area or ambulance service areas. [Ord. 91-0085]

19.020 Exclusivity of Assignment. No person or persons, acting individually or jointly, in any capacity, shall provide ambulance service in Benton County unless and until the Board has, by order, assigned an ambulance service area to that person or group of persons. [Ord. 91-0085]

19.025 Boundaries. The boundaries of the ambulance service area(s) is (are) as specified in the Ambulance Service Area Plan. Boundaries may be amended by the Board by order. [Ord. 91-0085]

SUSPENSION OR REVOCATION OF ASSIGNMENT

19.100 Suspension or Revocation. The Board may suspend or revoke an assignment of an ambulance service area upon either the recommendation of the Benton County ~~Emergency Medical Advisory Committee~~ Health Administrator or upon ~~its~~their own motion upon the following findings:

- (a) The provider willfully violated Chapter 19 of the Benton County Code, the Ambulance Service Area Plan, state or federal law, Administrative Rules, or any applicable regulations;
- (b) The provider materially misrepresented facts or information in its application for assignment of an ambulance service area or in any review of the provider's performance; or
- (c) The provider has failed to provide service which protects the public welfare or has acted in any manner which is inconsistent with public welfare. [Ord. 91-0085] [Ord.2018-0287]

19.110 Contingent Suspension or Revocation. At its discretion, the Board may order a provider to correct any violations or misrepresentations and make a suspension or revocation contingent upon the provider's response to the Board's order. The Board shall cause written notice to be

mailed or hand-delivered, specifying the violation or misrepresentation, the action necessary to correct the violation or misrepresentation, and the date by which the corrective action must be taken. It shall be the responsibility of the provider to notify the Board of the corrective action which the provider takes. Should the provider fail to correct the violation or misrepresentation within the ~~the~~ allotted to the satisfaction of the Board, or fail to notify the Board within the time allotted, the Board may suspend or revoke the provider's assignment. [Ord. 91-0085]

APPEALS

19.200 Time for Appeals. Any applicant or provider who is notified of an assignment, denial, suspension, revocation, or contingent suspension or revocation may request a hearing before the Board of Commissioners, acting as the Board of Health, or the Board's designee by filing with the Board a written request within fourteen (14) days of the date of the notice of the decision. This request must specify the reason for the request and the issues to be addressed. Receipt of this request by the Board stays any action pending the hearing and the final determination of the Board or their designee, unless the Board or the designee makes written findings that prompt implementation of a decision is required due to an imminent hazard to public safety. [Ord. 91-0085]

19.210 Procedure for Appeals. The Board or the Board's designee shall set the time and place for the hearing, and shall determine the standard of review (de novo or on the record). Within fourteen (14) days of the date of the hearing, the Board or the Board's designee shall affirm, reverse, or modify the decision. [Ord. 91-0085]

PENALTIES

19.300 Violation, Separate Offenses. Any person who fails to comply with or violates any provision of Chapter 19 or the Ambulance Service Area Plan shall be guilty of a violation. Failure to comply with, or violation of, any of the terms of Chapter 19 shall be a separate offense for each day. Failure to comply with, or violation of, any provision of Chapter 19 shall be a separate offense for each provision. [Ord. 91-0085]

19.310 Fine. In addition to any other procedures or remedies provided by law, violation of and failure to comply with any provisions of Chapter 19 or the Ambulance Service Area Plan shall be punishable by a fine not to exceed One Thousand Dollars (\$1,000) per violation. [Ord. 91-0085]

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

In the Matter of Amending the)
Benton County Code Chapter 19,) **Ordinance No. 2018-0287**
Ambulance Service Area Plan)

THE BENTON COUNTY BOARD OF COMMISSIONERS HEREBY ORDAIN
AS FOLLOWS:

WHEREAS, the Benton County Code Chapter 19 currently describes the Ambulance Service Area Plan and role of the Emergency Medical Advisory Committee (EMAC); and

WHEREAS, the members of EMAC, Board of Commissioners, Ambulance Service providers and staff desire to dissolve EMAC because the length of the ASA franchise agreements and the means of selecting providers has left the committee no meaningful work; and

WHEREAS, EMAC, the Board of Commissioners and staff have determined it is in the best interests of the county and the public to revise Benton County Code Chapter 19 to remove the requirement that Benton County maintain an Emergency Medical Advisory Committee; and

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

1. Short Title. This ordinance shall be known as “Amendment to Benton County Code Chapter 19.”
2. Text Amendment. Benton County Code Chapter 19 is hereby amended as noted in the attachment marked Exhibit A.

This ordinance shall become effective on the 18th day of October, 2018.

1st Reading: September 4, 2018
2nd Reading: September 18, 2018
Effective Date: October 18, 2018

BENTON COUNTY
BOARD OF COMMISSIONERS

Approved as to Form

Xanthippe Augerot, Chair

County Counsel

Annabelle Jaramillo, Commissioner

Recording Secretary

Anne Schuster, Commissioner

RECEIVED
AUG 21 2018
Benton County Counsel

AGENDA CHECKLIST

BENTON COUNTY BOARD OF COMMISSIONERS

(Page 1 of 2)

Item #
7.1

This document must be completed for each agenda item submitted for consideration by the Board of Commissioners at any meeting where a Board quorum is expected.

Suggested Placement for this Agenda Item:

- BOC Tuesday
- Other: _____

Suggested Agenda Date: September 4, 2018

Department Submitting: Information Technology

Short Title of Agenda Item: Approve Updated Electronic Use Policy

Contact Person: Grace McDonald

Phone Extension: 6869

Person Attending BOC Meeting (REQUIRED):
Grace McDonald

Person(s) Who Should Receive Signed Documents After Meeting: Kevin Perkins

This Item Involves: (Check all that apply for this meeting.)	
<input type="checkbox"/> Order/Resolution/Proclamation	<input type="checkbox"/> Appointments
<input type="checkbox"/> Ordinance/Public Hearing:	<input type="checkbox"/> Update on Project/Committee
<input type="checkbox"/> 1st Reading <input type="checkbox"/> 2nd Reading	<input type="checkbox"/> Discussion Only
<input type="checkbox"/> Public Comment Anticipated:	<input checked="" type="checkbox"/> Discussion & Action
Estimated Time	10 min Estimated Time
<input type="checkbox"/> Document Recording Required	<input type="checkbox"/> Special Report:
<input type="checkbox"/> Contract/Agreement	<input type="checkbox"/> Oral <input type="checkbox"/> Written

If appropriate, have Boards/Committees been involved?

- Yes No Not Applicable

If yes, address under Salient Issues, page 2.

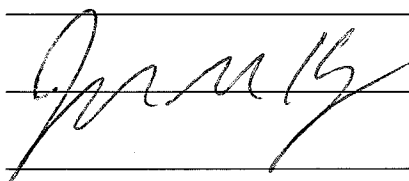
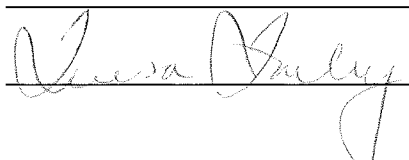
If appropriate, has this agenda/item been advertised?

- Yes No Not Applicable

Names of Publications _____

Dates of Publication: _____

Reviewed By: (Signature and Date Required)

_____	Department Head	Required for all BOC meetings
	<small>DATE</small> 8/23/18	Required for all BOC meetings
_____	County Administrator	Required for all legal documents
_____	County Counsel	If appropriate
_____	Budget Office	Required for all personnel actions
_____	Human Resources	Required for all BOC meetings
	<small>DATE</small> 8/22/18	
_____	BOC Administration	

Provide one original or send electronically to Board Staff.

DO NOT USE STAPLES!

01/17/2018
BUSINESS

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
(Page 2 of 2)

DATE OF MEETING:

September 4, 2018

TITLE OF AGENDA ITEM:

ELECTRONIC USE POLICY UPDATE

IDENTIFIED SALIENT ISSUES:

This policy update includes some language clean up as well as addition of:

- Clarification of restrictions involving Sensitive information.
- Mandatory cybersecurity training.
- Guidelines and restrictions of All County Email usage.

The updated version has been vetted and approved by the Policy Oversight Committee.

OPTIONS:

- 1) Approve the policy update
- 2) Send the policy back to staff with suggested changes
- 3) Keep the current policy

FISCAL IMPACT:

None

STAFF RECOMMENDATIONS:

Approve the updated policy.

SUGGESTED MOTION(S):

I move to approve the updated Electronic Use Policy Number 100.

Policy and Procedure

■ Name: ELECTRONIC USE POLICY

Approved by: *Board of Commissioner's*

Effective Date: July 1, 2012

Last reviewed: September 16, 2014

SECTION 1 - INTRODUCTION	2
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1.2 SCOPE	2
1.3 DEFINITIONS	2
1.4 RESPONSIBILITY	2
SECTION 2 - POLICY	2
SECTION 3 - GOVERNANCE	7

SECTION 1 - INTRODUCTION

100.1.1 PURPOSE

To determine appropriate access, use and disclosure of electronic mail messages, Internet content and material created, sent or received by County employees and affiliates on any device using the County's electronic or telecommunications systems.

100.1.2 SCOPE

Policy applies to all county employees and affiliates using the County's electronic and telecommunications systems.

100.1.3 DEFINITIONS

Word/Term	Definition
LAN	Local Area Network; supplies networking capability to computers and associated devices that share a common communications line including devices on a "Guest" network.
IT	Benton County Information Technology Department
De Minimis	Minor and trivial; of negligible impact to County resources.
Executable file	A file in a format that the computer can directly install a program
Script	A list of commands that can be executed without user interaction.
URL	Uniform Resource Locator; the address of a World Wide Web page
Affiliate	Contractors, volunteers, partner agencies
Mobile Device	Also known as a handheld device, handheld computer or simply handheld, is a small, handheld computing device, typically having a display screen with touch input and/or a miniature keyboard and weighing less than 2 pounds (e.g. Tablets and Smartphones).
All-County Email	Any email that is sent via a master email distribution list (e.g. "**Benton All Mail Subscribers" or "Employees")

100.1.4 RESPONSIBILITY

Policy Owner	Benton County Information Technology Department
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100.2 - POLICY

100.2.1	<p>Acceptable Use</p> <p>Use of county information assets shall not be false, unlawful, offensive, or disruptive. Outside of the course and scope of job duties, County networks and systems shall not be used to intentionally view, download, store, transmit, or retrieve any information, communication or material which:</p> <ul style="list-style-type: none"> • Is harassing or threatening; • Is obscene, pornographic or sexually explicit; • Is defamatory or makes discriminatory reference to race, age, gender, sexual orientation, religious or political beliefs, national origin, health, or disability; • Is fraudulent; • Is illegal or promotes illegal activities; • Is intended for personal profit; • Condone or fosters hate, bigotry, discrimination or prejudice; • Facilitates Internet gaming, gambling or contains offensive humor.
	100.2.1.1 Limited (de minimis) personal use of the County Email, Network and

	Internet (including mobile internet access) may be permitted (subject to departmental policy) at approved times such as breaks and lunch but may not be excessive or interfere with normal operations of the County.
	100.2.1.2 The County reserves the right to restrict use of electronic or telecommunication systems for personal use at any time.
	100.2.1.3 Employees shall use County Email, Network and Internet (including mobile internet access) resources in a reasonable and professional manner.
	100.2.1.4 Any information, documents or files downloaded using County equipment or systems, or stored on County equipment or systems, must be related to County business and constitute a reasonable use of County resources.
	100.2.1.5 Executable files and scripts may not be downloaded without prior IT authorization.
	100.2.1.6 Applications such as Peer to Peer file sharing, unauthorized browser enhancements, plug-ins, streaming audio and streaming video for non-business related purposes are prohibited.
	100.2.1.7 Privately owned or Non-County software and freeware may not be installed onto a County system or County issued device without supervisor and IT consent.
	100.2.1.8 Benton County's network users must comply with all state, federal and local laws and regulations.
	100.2.1.9 Benton County Fax Lines, Desktop Telephones and Cellular Telephones <ul style="list-style-type: none"> • Fax Lines and Telephones shall not be used to make personal long distance phone calls which have a direct cost to the County. • Fax Lines and Telephones may not be used for personal soliciting or political lobbying except as otherwise allowed by statute. • Limited personal use includes: local telephone calls/faxes or long distance calls/faxes that are not charged to the County at approved times such as breaks and lunch but should not be excessive or interfere with job performance and normal operations of the County.
	100.2.1.10 Sensitive information including Criminal Justice Information (CJI), Health Insurance Portability and Accountability Act (HIPAA), Protected Health Information (PHI), Personally Identifiable Information (PII), and Payment Card Industry (PCI) must be maintained on County equipment and within County control. Employees remotely accessing Sensitive Information, including viewing Email, from personally owned devices shall not print out or otherwise save Sensitive Information to personal printers, personal storage devices, or personal cloud storage accounts (e.g. Google Docs, DropBox, etc.). Sensitive information shall not be sent via text messaging on County or personal devices. Information Technology shall maintain and administer County approved tools and methods for transferring and storing Sensitive information.

100.2.2	Right to Monitor
	100.2.2.1 The County reserves and intends to exercise the right to review,

	audit, intercept, access and/or disclose any and all electronic traffic , including: documents, email messages and attachments, web sites visited and/or files downloaded over the County's electronic systems without prior notification.
	100.2.2.2 The County further reserves the right to disclose any information found to law enforcement officials and to use the information as a basis for disciplinary action, as provided for in Benton County Personnel Policies and applicable collective bargaining agreements.
100.2.3	County Property
	100.2.3.1 The electronic mail and Internet/LAN, hardware, telecommunication and information systems are County property.
	100.2.3.2 All files, documents, messages and attachments composed, sent, received or stored on County issued devices or the electronic mail or LAN storage systems are and remain the property of Benton County.
	100.2.3.3 The use of non-County devices, such as computers, personal routers and laptops, directly attached to the County network is prohibited. No privately owned or non-County peripherals such as keyboards, computer mice, printers, etc. may be attached to County electronic equipment without approval by IT. Personal Mobile Devices may be allowed subject to <i>Admin Policy 108 - Cellular Phone and Mobile Devices</i> .
	100.2.3.4 County Employees or other users of County equipment shall have no expectation of privacy in the use of County equipment.
100.2.4	Password Accountability
	100.2.4.1 County network passwords must be held confidential and may not be shared with co-workers, supervisors, subordinates, interns, volunteers or vendors.
	100.2.4.2 Employees and affiliates must not use a password, access a file, or retrieve any stored communication, other than where authorized.
	100.2.4.3 Any compromised network or application password should be reported to IT immediately.
100.2.5	Cybersecurity Training
	1002.5.1 All county employees and affiliates using the County's electronic and telecommunications systems shall complete and pass Cybersecurity training within 90 days of being granted a Network login, thereafter all county employees and affiliates using the County's electronic and telecommunications systems shall complete and pass Cybersecurity training annually. 1002.5.1 IT shall be responsible for administering and tracking Cybersecurity Training
100.2.6	Solicitation Prohibited and/or Restricted
	100.2.6.1 Electronic or Telecommunication systems may not be used to solicit or proselytize for outside or personal commercial ventures, religious or political causes, outside organizations, or other solicitations that are not job-related, except as provided for in collective bargaining agreements.
100.2.7	Viruses

	100.2.7.1 Employees and affiliates may not use County email or Internet systems to develop or send any virus, Trojan, malicious threat or otherwise destructive program. Employees are responsible for reporting suspected virus or other malware infections as soon as reasonably possible to IT.
100.2.8	World Wide Web/Internet
	100.2.8.1 Benton County's Internet system may not be used to visit sexually explicit or otherwise offensive or inappropriate Web sites (except in the instance of Department authorized law enforcement investigations and as needed for health education activities).
	100.2.8.2 County Internet resources shall not be used to: send, display, download or print offensive material, pornographic or sexually explicit material or any materials which would be found offensive by most reasonable people.
	100.2.8.3 Web content filters designed to disrupt access to inappropriate Web sites or materials may not be bypassed or altered by private VPNs, proxy servers, etc.
100.2.9	Electronic Mail
	100.2.9.1 Electronic mail shall not be used to create or distribute inappropriate or illegal messages.
	100.2.9.2 Email shall not be used to transmit discriminatory, derogatory, or illegal information.
	100.2.9.3 Email shall not be used to transmit anything sexually explicit.
	100.2.9.4 Email shall not be used for political activity except as authorized by bargained labor contracts.
	100.2.9.5 Employees and affiliates must not send or forward "chain letter" emails.
	100.2.9.6 Employees and affiliates should not open emails or attachments unless they are confident of the identity of the sender and the content of any attachments.
	100.2.9.7 Messages sent or received on email, must be retained for the same period of time (pursuant to the State Archivist's Retention Schedule) as an identical message sent or received on paper. This also applies to attachments to email documents. Retention may be either by electronic means or by hard copy.
	100.2.9.8 An individual is responsible for the use and content of his/her email. An employee who receives a misdirected email shall be responsible for informing the sender that the message was misdirected. No employee shall send an email under another employee's name without authorization. No employee shall change any portion of a previously sent email without authorization of the creator of the previously sent email. Except for supervisors, no employee shall access another employee's email without that employee's permission.
	100.2.9.9 All email is subject to the Public Records Law.
	100.2.9.10 County employees or other users of electronic mail shall have no expectation of privacy in any email creation, transmission, or other usage.
	100.2.9.11 All County Emails shall only be sent by the County PIO, Department Heads, Elected Officials or individuals who have been approved by their Department Head to send an All County Email. If the sender of an All County Email is not the County Administrator, a Department Head, Elected Official or the County

	<p>PIO they may only send an All County Email if the email content has been approved by their Department Head or if that authority has been granted to them by their Department Head.</p> <p>All County Emails should be appropriate for the majority of Benton County employees, and should only be sent if they include one or more of the following:</p> <ul style="list-style-type: none"> • A message that directly relates to carrying out the business of Benton County. • A message that relates to changes in Benton County policy. • A message that is time-sensitive. • A message of an announcement or event. <p>Inappropriate use of an All County Email includes, but is not limited to:</p> <ul style="list-style-type: none"> • A message that is not in line with Benton County goals. • A message that violates Benton County policy. • A message that is personal in nature. • A message that is commercial in nature. • A message originating from non-governmental organizations not associated with Benton County.
100.2.10	Confidentiality
	<p>100.2.10.1 Notwithstanding the County's right to retrieve and read any electronic mail or Internet messages or material, such messages or material should be treated as confidential by other employees or affiliates and accessed only by the intended recipient. Employees and affiliates are responsible for maintaining the confidentiality of material on the systems.</p>
	<p>100.2.10.2 All information on electronic office equipment or County issued devices are subject to the Public Records Law.</p>
100.3.0	Disciplinary Action
	<p>100.3.0.1 A violation of this policy may result in disciplinary action in accordance with Benton County Personnel policies and collective bargaining agreements.</p>
100.3.1	Responsibility to Report
	<p>100.3.1.1 If an employee is aware of any inappropriate activity as covered under this policy, that employee is responsible for reporting said use to a supervisor or to IT.</p>
	<p>100.3.1.2 If in the course of its work IT becomes aware of any inappropriate activity as covered under this policy, IT will notify the relevant supervisor or Department Head.</p>
100.3.2	Acknowledgement of Receipt of Policy
	<p>100.3.2.1 All Benton County Employees and associated persons using Benton County electronic devices shall read the acceptable Electronic Use Policy and sign a document acknowledging the receipt of and reading of the policy.</p>

SECTION 3 - GOVERNANCE

VERSION CONTROL AND CHANGE HISTORY

Version Number	Approval Date	Amendment
1.0	XXXXXXXXXX	Supersedes policy no. 97-04
1.1	09/16/14	Replaced "IRM" with "IT", housekeeping updates and added "mobile devices" to policy
1.2		Added "All-County Email" use to Policy, Cybersecurity training requirement added to policy, various housekeeping edits.

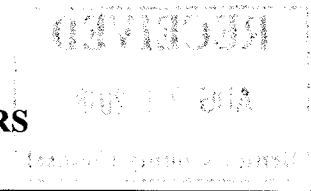
LEGISLATIVE CONTEXT

Name	Location
Public Employees Ethics Laws	Oregon Revised Statutes Chapter 244
Oregon State Public Records Laws	Oregon Administrative Rules Chapter 166

POLICY & PROCEDURE DIRECTORY REQUIREMENTS

CATEGORY
Administrative Policies
KEYWORDS
Information Resource Management, IT, limited use, personal use, e-mail, executable file, script, Internet, World Wide Web, LAN, download, virus

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
(Page 2 of 2)



DATE OF MEETING:

September 4, 2018

TITLE OF AGENDA ITEM:

COUNTY SURPLUS PROPERTY DONATIONS POLICY

IDENTIFIED SALIENT ISSUES:

This policy is to ensure consistent and equitable donations of County surplus (non-real estate) property. Although donations of County property are governed by Benton County Ordinance BCC 2.610, this Policy adds additional restrictions on items that can be donated, as well as procedures intended to ensure:

- Surplus is vetted for further use within the County before donating.
- Qualified recipients within the geographical extent of Benton County are given first opportunity to receive donated items.

The Policy has been vetted and approved by the Policy Oversight Committee.

OPTIONS:

- 1) Approve the policy update
- 2) Send the policy back to staff with suggested changes
- 3) Keep the current policy

FISCAL IMPACT:

None

STAFF RECOMMENDATIONS:

Approve the updated policy.

SUGGESTED MOTION(S):

I move to adopt the County Surplus Property Donations Policy.

DRAFT/Version date

County Surplus Property Donations

POLICY and PROCEDURE

Name: *County Surplus Property Donations*
Number: Policy Committee will assign number if approved
Policy Category: *Administrative*
Approval Date: [Click here to enter a date.](#)
Effective Date: [Click here to enter a date.](#)

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DRAFT/Version date

County Surplus Property Donations

Section 1 – Foundation Information

Purpose: To ensure consistent and equitable donations of County surplus property.

Scope: Applies to all County employees, volunteers. Does not apply to County Real Estate Property.

Policy Owner: Board of Commissioners

Definitions

Surplus Property	Non-Real Estate property that is retained by Benton County, but is not currently being utilized. A surplus property may be out of date or no longer working.
Universal Waste	Universal waste is a category of waste materials designated as "hazardous waste", but containing materials that are very common. It is defined in 40 C.F.R. 273.9, by the United States Environmental Protection Agency
Electronic Items	Any device that uses electricity and has circuitry and includes (but is not limited to) computers, laptops, servers, switches, hubs, iPads, cellphones, smartphones, printers, copiers, faxes, desk phones, projectors and televisions.

Section 2 – Policy

(Pol. #).2.1 Department Reuse

(Pol. #).2.1.1 Prior to donating Surplus Property, all Surplus Property items shall be processed through the Surplus Reuse Procedure.

(Pol. #).2.1.1 Electronic Items (includes but is not limited to computers, laptops, servers, switches, hubs, iPads, cellphones, smartphones, printers, copiers, faxes, desk phones, projectors and televisions) cannot be Reused without the written approval of Information Technology.

(Pol. #).2.2 Donation of Surplus Items

(Pol. #).2.2.1 Universal Waste such as pesticides, oil, batteries, mercury containing devices, anti-freeze, pharmaceutical drugs or other hazardous items shall not be donated.

(Pol. #).2.2.2 Electronics Items (includes but is not limited to computers, laptops, servers, switches, hubs, iPads, cellphones, smartphones, printers, copiers, faxes, desk phones, projectors and televisions) shall not be donated without the written approval of Information Technology.

(Pol. #).2.2.3 Donations are restricted per Benton County Ordinance BCC 2.610 *Donations of Personal Property* which states the County “may donate or sell personal property of any value, without competitive bidding, including recyclable materials to another public agency, or any sheltered workshop, or nonprofit organization, after a

DRAFT/Version date

County Surplus Property Donations

determination has been made that the personal property is not needed for other county purposes.”

Pol. #).2.2.4 Donation of items can only be made to entities described in BCC 2.610 and which are based in or reside in the State of Oregon.

(Pol. #).2.2.5 Prior to donation, Financial Services shall be notified if an item was purchased for \$5,000 or more, and/or purchased with State or Federal grants.

(Pol. #).2.2.6 Prior to donation, all items must be approved by the donating department’s Department Head.

(Pol. #).2.2.6 Donation of items must be processed through the Surplus Donation Procedure.

(Pol. #).2.3 Adherence

(Pol. #).2.3.1 All County employees, volunteers and contractors shall adhere to this policy and any internal processes adopted by their department. Noncompliance may result in formal disciplinary action up to and including termination of employment. County employees, volunteers and contractors should contact their department director if they have questions about compliance with this policy.

Section 3 – Governance

Version Control

Next Review Date: (~2 years from last review date)

Version Number	Date	Amendments

Legislative Context

Name	Location (State of Oregon Website, County Code, etc.)
<i>Donations of Personal Property</i>	Benton County Ordinance BCC 2.610

Related Material

<

Name	Location	Document Type
XXXXXXXXXXXX		

[Back To Top](#)

Supplemental Material

DRAFT/Version date

County Surplus Property Donations

Name	Location	Document Type
XXXXXXXXXX		

Key Words

(For electronic searching)

DRAFT/Version date

County Surplus Property Donations

Procedure

PRC(Pol. #).1 Surplus ReUse

1. Take pictures and if applicable measurements (i.e. File Cabinet- Width, Height, Depth)
2. Send an “all Benton” email including pictures and measurements asking if anyone would like the item. For personnel that do not have “*All Benton Mail Subscribers” clearance please email the Sustainability Technician (please refer to the Surplus Reuse Center page on the BEE for contact information) with information from #1.
3. Items claimed during this time must be processed between staff and/or the building's assigned facilities personnel.
4. If the item has not been claimed after seven business days, you may donate the item per the Surplus Donation Process, or Email the Sustainability Technician attaching original item announcement email. The Sustainability Technician will then contact your facility personnel to retrieve your unwanted item and transport it to the surplus room. Once items are in surplus they will be processed through the Reuse Network.

PRC(Pol. #).2 Surplus Donation

1. If the donating Department knows of an approved entity, as described in Benton County Ordinance BCC 2.610 *Donations of Personal Property*, that are based in or reside in the geographical extent of Benton County and want the items the Department is free to donate them; otherwise the Department must:
 - a. Declare that the items are available for donation in a manner that reaches a broad segment of the County population for a period of no less than 7 days (e.g. one or more of the following: an ad in the Gazette Times classified section, a list server, Craigslist, or on an easily reachable page of the County Internet website). Cost of the advertisement is borne by the donating department. The advertisement should include:
 - i. A declaration that donations can only be made per Benton County Ordinance BCC 2.610 *Donations of Personal Property* to entities that are based in or reside in the geographical extent of Benton County.
 - ii. A declaration that receipt is on a first-come, first served basis.
 - iii. A description of the items.
 - iv. The date after which the offer is nullified.
 - b. Claim of items is on a first come first served basis and must be claimed in writing to the donating department.
2. If some or part of the items are unclaimed and the donating Department knows of an approved entity, as described in Benton County Ordinance BCC

DRAFT/Version date

County Surplus Property Donations

2.610 *Donations of Personal Property*, which are based in or reside in the State of Oregon, the remainder may be donated to that entity.

If some or part of the items are still unclaimed the remainder shall be properly disposed.

RECEIVED
AUG 28 2018
 Benton County Counsel

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
 (Page 1 of 2)

Item #
1.3

This document must be completed for each agenda item submitted for consideration by the Board of Commissioners at any meeting where a Board quorum is expected.

Suggested Placement for this Agenda Item:

- BOC Tuesday Meeting
 Other: _____

Suggested Agenda Date: September 4, 2018

Department Submitting: Community Development

Short Title of Agenda Item: **Resolution on Greenhouse Gas Reduction Goal & Action Plan.**

Contact Person: Sean McGuire

Phone Extension: 0152

Person Attending BOC Meeting (REQUIRED):
Sean McGuire, Mac Gillespie, & Greg Verret

Person(s) Who Should Receive Signed Documents After Meeting: Sean McGuire

This Item Involves: (Check all that apply for this meeting.)	
<input checked="" type="checkbox"/> Order/Resolution/Proclamation	<input type="checkbox"/> Appointments
<input type="checkbox"/> Ordinance/Public Hearing:	<input type="checkbox"/> Update on Project/Committee
<input type="checkbox"/> 1st Reading <input type="checkbox"/> 2nd Reading	<input type="checkbox"/> Discussion Only
<input type="checkbox"/> Public Comment Anticipated: Estimated Time	<input checked="" type="checkbox"/> Discussion & Action 15 min. Estimated Time
<input type="checkbox"/> Document Recording Required	<input type="checkbox"/> Special Report:
<input type="checkbox"/> Contract/Agreement	<input type="checkbox"/> Oral <input type="checkbox"/> Written

If appropriate, have Boards/Committees been involved?

- Yes No Not Applicable

If yes, address under Salient Issues, page 2.

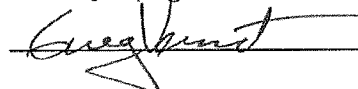
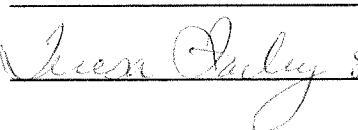
If appropriate, has this agenda/item been advertised?

- Yes No Not Applicable

Names of Publications _____

Dates of Publication: _____

Reviewed By: (Signature and Date Required)

<u></u> <u>8/28/18</u> DATE	Department Head	Required for all BOC meetings
_____	County Administrator	Required for all BOC meetings
_____	County Counsel	Required for all legal documents
_____	Budget Office	If appropriate
_____	Human Resources	Required for all personnel actions
<u></u> <u>8/29/18</u> DATE	BOC Administration	Required for all BOC meetings

Provide one original or send electronically to Board Staff.

DO NOT USE STAPLES!

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
(Page 2 of 2)

DATE OF MEETING:

September 4, 2018

TITLE OF AGENDA ITEM:

Establishing Benton County's Greenhouse Gas Emissions Reduction Goal and Endorsing the Submitted Climate Action Plan.

IDENTIFIED SALIENT ISSUES:

Since December 2016, an internal group has explored, researched, and compiled current County activities, practices, and policies related to Climate Change. In addition, County Government has been tracking resource utility use for several years, and, with that data, the Sustainability Program calculated the County Government's carbon emissions from fleet fuels, electricity, natural gas, and water. On December 5, 2017, the Board of Commissioners signed Resolution #R2017-025 that directed staff to identify a greenhouse gas emissions reduction goal and develop a draft Climate Action Plan. With direction from the Board of Commissioners and input from staff, the attached Resolution will establish a greenhouse gas emissions reduction goal and endorse the current Climate Action Plan.

OPTIONS:

- 1) Adopt the Resolution; or
- 2) Request modifications, additional information, or input; or
- 3) Direct no action.

FISCAL IMPACT:

Existing funds and staffing are sufficient to begin the process of identifying County actions related to climate change and carbon reduction. Though, staff and partners may identify future funding or capacity needs during the process of developing the Climate Action Plan to achieve carbon reduction goals. Additional funding may be needed depending upon future carbon reduction projects and processes.

STAFF RECOMMENDATIONS:

Adopt the Resolution and direct staff to proceed with implementation.

SUGGESTED MOTION(S):

I move the Board adopt the Resolution establishing the Benton County's greenhouse gas emissions reduction goal and endorsing the submitted Climate Action Plan.

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

**In the Matter of Establishing Benton County's)
Greenhouse Gas Emissions Reduction Goal and) RESOLUTION #R2018-024
Endorsing the Submitted Climate Action Plan)**

On December 5, 2017, the Benton County Board of Commissioners adopted Resolution #R2017-025, which affirmed the County's commitment to addressing climate change, reducing greenhouse gas emissions, and developing a climate action plan.

The Board of Commissioners reaffirms the County's commitment by establishing a greenhouse gas emissions reduction goal and endorsing the submitted Climate Action Plan.

THEREFORE, BE IT RESOLVED, that;

1. Benton County government will reduce its greenhouse gas emissions to at least 75% below 1990 levels by 2050.
2. Benton County staff will expand current efforts to track the organization's and staff's greenhouse gas emissions from initiatives, policies, services, operations, and actions.
3. Benton County will annually update and publicize the County's greenhouse gas emissions inventory.
4. Benton County's Resource Efficiency Committee, with assistance from the Sustainability Program, will continually review, research, assess, expand, and amend the Climate Action Plan to achieve the greenhouse gas emissions reduction goal.

Adopted this 4th day of September, 2018.

Signed this 4th day of September, 2018.

BENTON COUNTY BOARD OF COMMISSIONERS

Xanthippe Augerot, Chair

Annabelle Jaramillo, Commissioner

Anne Schuster, Commissioner

Benton County Climate Action Plan As of September 4, 2018

Proposed Greenhouse Gas Reductions Goal:

Benton County Government will reduce greenhouse gas emissions to 75% below 1990 levels by 2050.

Overview

The Climate Action Plan is a living document that will continuously identify, implement, and institutionalize carbon mitigation policies and practices. With direction from the Board of Commissioners, the County's Climate Action Committee engaged staff, committees, and Departments to gather the following actions and best management practices to reduce greenhouse gas emissions. Benton County will continue to engage staff and Departments, research and calculate carbon reduction estimates of actions, evaluate the effectiveness of services, and revise and improve the Action Plan as needed. As of now, the Plan is organized into what staff, Departments, and Cross-Departmental / Countywide actions Benton County can take to reduce greenhouse gas emissions, though the largest section by far is Cross-Departmental / Countywide.

Immediate Next Steps

Included in the Climate Action Plan are the following items that will take high priority:

- Finalize resource use tracking process, database management, and web interface with the current Facilities sources: fleet fuel, electricity, natural gas, and water. Project is scheduled for completion by September 28, 2018.
- Explore and implement a process to include other sources (Fairgrounds and Natural Areas & Parks) and other scopes (waste, transit, etc.).
- Research and establish calculations per carbon emissions reduction action.
- Research and establish carbon capture calculations for County-owned lands.

Staff-Oriented

Action	Staff/Dept. Leads	Logistics	Implement. Need	Trackable?
Significantly reduce paper use: mailings, meetings, etc.	Departments; IT for Tracking	Critically review current meeting activities &/or policies. Development of meeting guide. Set defaults to double side, only print on request, & utilize electronic displays.	Practice-to-Policy	<u>Yes</u>
Identify & provide resources to encourage alternative transit to facilities, if at all	Public Works-Fleet; HR; Department Leads; Staff	Disseminate information on transit availability. Develop tools to identify alternative transit opportunities.	Policy, practice	<u>Yes</u>
Utilize & encourage conference calls & e-meetings (Skype, "GoToMeeting", Zoom, etc.) instead of travel	Departments; IT; Sustainability Program	Research & encourage staff to use e-meeting techniques	Practice	Indirectly
Carpool to meetings; Schedule meetings to group times at facilities	PW-Fleet; IT; Department Leads; Staff	Protocol/Policy for carpooling	Policy	Indirectly
Turn off lights when leaving rooms; Don't turn on lights if unnecessary	PIO; PW-Facilities; Sustainability Program	Signs/Plaques; Engagement Campaign	Practice	Indirectly

Departmental-Oriented

While all Departments can contribute, the following actions are designated to Departments with lead responsibilities.

Public Works – Fleet

Action	Point of Contact	Logistics	Implement. Need	Trackable?
Purchase renewable fuel (lower carbon-intensive) where practical	Fleet Manager	Research & Order; Complete carbon/energy cost accounting prior to purchase of fuel source vehicles and/or new fuel sources	Policy	<u>Yes</u>
Purchase alternative fueled vehicles (including hybrids) as equipment comes up for replacement	Fleet Manager	Purchase planning	Policy	<u>Yes</u>
Purchase right-size vehicles as equipment comes up for replacement	Fleet Manager	Purchase planning	Policy	<u>Yes</u>
Implement a no idling policy	Fleet policy	Draft policy currently developed	Policy	<u>Yes</u> , potentially
Include “Car-Pooling with others?” on all car check-out & tracking sheets.	Fleet Manager; Department Staff	New reservation process & form to track how many County trips are single-passenger & multiple-staff	Practice	<u>Yes</u> , potentially
Explore fleet-share opportunities with local organizations, governments, and partners	Fleet Manager; Community Org.s	Engage local organizations to explore opportunities to share fleets	Practice-to-Policy	<u>Yes</u> , potentially
Explore solar panels on fleet (esp. Sheriff) to charge electronic equipment & vehicle	Fleet Manager; Departments	Explore viability & cost considerations	Practice	<u>Yes</u> , potentially
Create an online reservation system that users can access from their desktops to determine availability and location	Fleet Manager/ IT	Develop new reservation system	New System	Indirectly
Manage Park-N’-Rides for staff/partners	Fleet Manager	Develop plan, secure vehicles	Practice	Indirectly
Expand upon the motor-pool vehicles creating new locations where vehicles can be stored	Fleet Manager	Develop plan, secure vehicles	Practice	Indirectly

Public Works – Facilities: See “Cross-Departmental / Countywide” section below

Information Technology

Action	Point of Contact	Logistics	Implement. Need	Trackable
Complete & maintain resource use tracking platform	IT; Departments; Sustainability Program	Establish & maintain resource use tracking process that integrates web and trend data visualization	Procedure	N/A
All County electronics meet Energy Star (or similar) energy reduction standards	IT	Purchasing	Policy	<u>Yes</u>
Set default on all staff computers to print double-sided	IT	Set default on all current and new computers	Procedure	<u>Yes</u>
Reduce energy use through settings & technology updates	IT	Limit energy use through control of systems to lowest energy use possible; include operations and notifications of staff equipment	Procedure-to-Policy	<u>Yes</u>
Assure conference call & webinar capabilities are available in County meeting rooms & staff computers	IT; Departments	Purchase and installation of video conference infrastructure in Departments, facilities, and offices	Procedure	<u>Yes</u> , potentially

Natural Areas & Parks (Also see “Cross-Departmental / Countywide” section below)

Action	Point of Contact	Logistics	Implement. Need	Trackable?
Assess current landscaping policies & procedures: native plants, irrigation (if ongoing), etc.	Superintendent	Assess current use and evaluation options for current and future carbon and water reduction	Strategic Plan	<u>Yes</u>
Assess current energy use & sources; Include carbon reductions when updating Parks and/or Natural Area Management Plans	Superintendent	Evaluate as part of Strategic Plan & Natural Area Management Plan updates	Planning; Policy	<u>Yes</u>
Consider/calculate value of natural areas as mitigation/carbon sequestration bank	NAP Director	Determine sequestration values	Policy	<u>Yes</u>
Reinitiate carbon markets using County sustainable forestry	Superintendent	Identify current carbon markets and ability to utilize within forestry program	Policy	<u>Yes</u>
Partner for carpooling to events at Parks	Superintendent	Identify all annual park events and other potential carpool opportunities	Strategic Plan; Outdoor Rec. Policy	Indirectly

Financial Services

Action	Point of Contact	Logistics	Implement. Need	Trackable?
Provide internal financial controls to grant review prior to proposal submission	Finance	Grant review and internal control will ensure that limited waste of resources will occur that utilize energy (travel, resources, energy)	Procedure	Indirectly

Human Resources

Action	Point of Contact	Logistics	Implement. Need	Trackable?
Include education of Sustainability in general and specifically resource efficient policies and practices in onboarding process for new hires & training for staff	Human Resources	Educate staff that the County is committed to climate action and general principles of sustainability	Procedure	Indirectly
Explore inclusion of sustainability tasks or responsibilities in job descriptions / scopes of work	Human Resources	Hired personnel and managers know that sustainability principles are active parts of their jobs	Procedure	Indirectly

Cross-Department / Countywide

Action	Point of Contact	Logistics	Implement. Need	Trackable?
Require consideration & evaluation of all new or renovated facilities to meet LEED Silver standard	BOC; PW-Facilities; Parks; Fairgrounds; Sheriff (Jail)	Conduct LEED Checklist prior to bid; develop new process to include energy saving requirements early in project/bid development; consider long-term resource savings in budgetary decisions	Policy	<u>Yes</u>
Require all new or renovated facilities to significantly exceed energy code	BOC; PW-Facilities; Parks; Fairgrounds; Sheriff (Jail)	Develop new process to include energy saving requirements early in project/bid development; consider long-term resource savings in budgetary decisions	Policy	<u>Yes</u>
Require all County-funded construction projects to enforce a deconstruction / material waste policy	BOC; PW-Facilities; Parks; Fairgrounds; Sheriff (Jail)	Construction/material waste is a major contributor to our landfills, and waste is a scope in the GHG inventory	Policy	<u>Yes</u>
Install & maintain renewable energy sources (e.g. solar & wind) on all applicable facilities and grounds	BOC; PW-Facilities; Parks; Fairgrounds; Sheriff (Jail)	Conduct analyses of current opportunities to install renewable energy sources & advance renewable energy sources on future projects	Policy	<u>Yes</u>
Conduct resource audits (energy, water, etc.) at current facilities to identify efficiency upgrades & improvements	PW-Facilities; Fairgrounds; NA & P	Develop an action plan (perhaps per facility) to improve resource efficiency when upgrades are needed or required	Procedure	<u>Yes</u>
Adopt purchase of Blue Sky renewable energy	PW-Facilities; BOC; Financial Services	Authorize purchase of Blue Sky energy to reduce carbon emissions from more carbon-intensive energy sources (coal).	Policy	<u>Yes</u>
Explore establishing specific energy reduction goals (electricity, gas, etc.)	PW-Facilities; Fairgrounds; Parks	Research opportunities on specific goals with assistance from the Resource Efficiency Committee and Sustainability Program	Policy	<u>Yes</u>
Explore establishing specific water reduction goals (interior, irrigation, etc.)	PW-Facilities; Fairgrounds; Parks	Research opportunities on specific goals with assistance from the Resource Efficiency Committee and Sustainability Program	Policy	<u>Yes</u>
Consider policies to incentivize & support car-pooling, mass-transit, bike/walk, &/or telecommuting to meetings & other work-related events	BOC/POC	Establish clear policy & engage staff	Policy	<u>Yes</u> , potentially

Consider alternative or flexible work opportunities: “4-10s”, remote work solutions, etc.	IT; Departments	Evaluate suitability to reduce travel needs & facility operations	Policy	<u>Yes</u> , potentially
Reduce all air and car travel to essential functions and essential training	BOC/POC	Develop procedure or policy	Procedure/Policy	<u>Yes</u> , potentially
Implement waste diversion opportunities in all facilities (specifically in eating areas) & public events	BOC; PW-Facilities; Fairgrounds; Parks	Opportunities will include recycling, composting, etc.	Procedure/Policy	<u>Yes</u> , potentially
Assess and actively encourage passive solar and similar techniques to reduce energy load and support environmental and human health benefits	PW-Facilities; Fairgrounds; Parks	Techniques could include tree shading, passive solar on windows, reduction of impervious surfaces, high-albedo roofing, etc.	Procedure/Policy	<u>Yes</u> , potentially
Develop guides for Sustainable Events, Internal & Public Meetings, and Purchasing to educate staff on how to reduce materials & be more environmentally sound	Sustainability Program; Departments	Guides will provide specific actions to take to be more sustainable in internal meetings, outreach events, purchasing, etc.	Procedure/Policy	<u>Yes</u> , potentially
Prepare campaign/messaging plan to engage staff and educate public on activities	PIO; REC; Sustainability Program	Press releases, articles in the Buzz, etc.	Procedure	Indirectly
Prohibit, or strongly discourage, purchase of single-use drink containers (plastic water bottles) & other disposable items with County funds	BOC/POC	Potential exceptions could include search-and-rescue, emergency/disaster response & other exceptional circumstances.	Policy	Indirectly
Engage & educate staff on Recycling Guidelines	Sustainability Program; PIO	County wide email or The Buzz & The Bee, ensure enough bins & signage	Practice	Indirectly
Install info kiosks at facilities to reduce use of flyers	PW-Facilities; NA&P; PIO; IT	Equipment installation and software purchase	Strategic Plan, Procedure	Indirectly
Webcast public meetings	PIO; IT	Equipment installation and software purchase	Policy	Indirectly



AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
(Page 1 of 2)

Item #
7.4

This document must be completed for each agenda item submitted for consideration by the Board of Commissioners at any meeting where a Board quorum is expected.

Suggested Placement for this Agenda Item:
[X] BOC Tuesday Meeting
[] Other:

Contact Person: Joe Mardis
Phone Extension: 6285
Person Attending BOC Meeting (REQUIRED):
Joe Mardis
Person(s) Who Should Receive Signed Documents After Meeting: Joe Mardis

Suggested Agenda Date: September 4, 2018
Department Submitting: Public Works
Short Title of Agenda Item: Stormwater Easement to Benton County for access and maintenance purposes for a storm water detention pond.

This Item Involves: (Check all that apply for this meeting.)
[] Order/Resolution/Proclamation
[] Ordinance/Public Hearing:
[] 1st Reading [] 2nd Reading
[] Public Comment Anticipated: Estimated Time
[X] Document Recording Required
[] Contract/Agreement
[] Appointments
[] Update on Project/Committee
[] Discussion Only
[X] Discussion & Action
15 minutes Estimated Time
[] Special Report:
[] Oral [] Written

If appropriate, have Boards/Committees been involved? [] Yes [] No [X] Not Applicable
If yes, address under Salient Issues, page 2.
If appropriate, has this agenda/item been advertised? [] Yes [] No [X] Not Applicable
Names of Publications
Dates of Publication:

Reviewed By: (Signature and Date Required)

Gary Stockhoff 8-22-18 Department Head Required for all BOC meetings
County Administrator Required for all BOC meetings
County Council Required for all legal documents
Budget Office If appropriate
Human Resources Required for all personnel actions
BOC Administration Required for all BOC meetings

AGENDA CHECKLIST
BENTON COUNTY BOARD OF COMMISSIONERS
(Page 2 of 2)

DATE OF MEETING:

September 4, 2018

TITLE OF AGENDA ITEM:

Stormwater Easement to Benton County for access and maintenance purposes for a storm water detention pond.

IDENTIFIED SALIENT ISSUES:

McDougal Bros Investments has granted a stormwater easement for an existing storm water detention pond. The easement is a requirement by Benton County Public Works under an agreement for improvements, so that the county can access and maintain the pond. The water runoff from five properties and the new right of way of Water lane, Public Road P46616 will be collected by the detention pond and the water will flow into a restricted culvert and under Bellfountain Road to the east. The detention pond will slow the amount of water going to properties on east side of Bellfountain Road.

OPTIONS:

Deny or accept the easement to Benton County, for a Stormwater Easement.

FISCAL IMPACT:

The owner did not charge for giving the easement. Benton County will maintain the storm water detention pond facilities with road fund money.

STAFF RECOMMENDATIONS:

Staff recommends that the Board of Commissioners accept the easement to Benton County for a Stormwater Easement for access and maintenance purposes for a storm water detention pond on Water lane.

SUGGESTED MOTION(S):

I move that this Stormwater Easement to Benton County for access and maintenance purposes for a storm water detention pond be accepted.

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

STORMWATER EASEMENT

T 14 S, R 6 W, Section 24, Tax Lot 2300

McDougal Bros Investments, A General Partnership, hereinafter referred to as the GRANTOR(s) does hereby and forever grant, assign, agree to and set over unto Benton County, hereinafter referred to as the County, it's heirs, successors and assigns the following permanent easement for a storm water detention pond, access and maintenance purposes, from that parcel described in Exhibit A in Benton County, Oregon, the easement is shown on EXHIBIT B as STORMWATER EASEMENT.

With the right of ingress and egress to, over, and from said premises at all times and the right privilege and authority, to the County, to construct, maintain, replace, reconstruct and/or remove the storm water detention pond improvements with all appurtenances incident thereto or necessary therewith, on under and across the said premises, and to cut and remove from said easement any trees and other obstructions which may endanger the safety or interfere with the construction, use, or maintenance of said easement and all rights and privileges incident thereto.

Except as to the rights herein granted, GRANTOR(s) reserve the right to full use and control of the above described real property in a manner consistent with these purposes. No building or other permanent structure that would enjoin the County from the intended purpose of this easement shall be placed upon the premises without the written permission of the County, its heirs, successors and assigns as applicable.


Dated this 7th day of AUGUST, 2018.



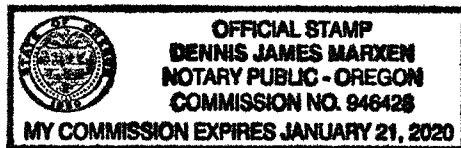
Melvin L. McDougal, Partner
McDougal Bros, A General Partnership

State of OREGON)
) ss.
County of Lane)

This record was acknowledged before me on AUGUST 7, 2018 by Melvin L. McDougal, as partner of McDougal Bros Investments, A General Partnership.



Notary Public-State of Oregon
MY COMMISSION EXPIRES 12/31/2020



ACCEPTED BY BENTON COUNTY
BOARD OF COMMISSIONERS

BY: _____

DATE: _____

Exhibit A

Beginning at the Northeast corner of the Chatman Hawley Donation Land Claim No. 49 in Section 24, Township 14 South, Range 6 West, Willamette Meridian, Benton County, Oregon; thence along the East line of said Donation Land Claim $S0^{\circ}03'33''W$ 60.00 feet to a point on the Southerly right-of-way of re-aligned Water Lane (County Road No. P46616), said point being the TRUE POINT OF BEGINNING; thence continuing $S0^{\circ}03'33''W$ 70.05 feet to a $5/8''$ iron rod; thence leaving said East line $N89^{\circ}49'12''E$ 1212.47 feet to a $5/8''$ iron rod; thence $N0^{\circ}10'06''W$ 79.69 feet to a $5/8''$ iron rod; thence $N89^{\circ}48'59''E$ 629.54 feet to a $5/8''$ iron rod on the Westerly right-of-way of Bellfountain Road (County Road No. 25100); thence along said Westerly right-of-way $N1^{\circ}59'40''W$ 387.64 feet to the Southerly right-of-way of said re-aligned Water Lane; thence along said Southerly right-of-way $S89^{\circ}49'28''W$ 645.46 feet; thence along the arc of a 320.00 foot radius curve to the left (the chord of which bears $S66^{\circ}09'44''W$ 256.86 feet) an arc distance of 264.31 feet; thence $S42^{\circ}29'59''W$ 103.05 feet; thence along the arc of a 330.00 foot radius curve to the right (the chord of which bears $S64^{\circ}53'58''W$ 251.50 feet) an arc distance of 258.03 feet; thence $S87^{\circ}17'57''W$ 346.88 feet; thence along the arc of a 170.00 foot radius curve to the left (the chord of which bears $S68^{\circ}07'26''W$ 111.68 feet) an arc distance of 113.79 feet; thence along the arc of a 230.00 foot radius curve to the right (the chord of which bears $S69^{\circ}31'45''W$ 161.70 feet) an arc distance of 165.23 feet; thence $N89^{\circ}53'25''W$ 48.81 feet to the Point of Beginning, in Benton County, Oregon.

EXHIBIT B

Tax Map 14624 Tax Lots 2300 & 2500

