

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, December 2, 2009
Marion County Courthouse Square

9:00 a.m. Board Session
Senator Hearing Room

PRESENT: Commissioner Patti Milne, Commissioner Janet Carlson and Commissioner Sam Brentano. Also present were John Lattimer as chief administrative officer, Jo Stonecipher as legal counsel and Kim Hulett as recorder.

PUBLIC COMMENT

None.

Commissioner Milne shared some good news regarding a Marion County employee. Sheriff's Office Detective Mike Myers was presented with a distinguished service award at the 40th Annual Oregon Peace Officers Association training conference that was held on November 20, 2009. Each year the Oregon Peace Officers Association presents awards to law enforcement personnel who have performed exemplary deeds or services on behalf of their communities during the previous year. Marion County Lieutenant Joe Kast nominated Detective Myers for the distinguished service award based on his work during the investigation of the Woodburn bombing that occurred on December 12, 2008. Lieutenant Kast's nomination indicated, "Detective Myers was selected as the lead investigator on this case due to his reputation and experience level as a detective. Detective Myers spent the first five days after the incident basically living at the command post, nearly 24 hours a day, coordinating the investigation with the direct help of Sergeant Terry Davies, with the Oregon State Patrol, as well as ATF and FBI managers. Because of the remarkable efforts and dedication of more than 300 city, county, state and federal law enforcement officers and support staff, two subjects were identified and taken into custody just five days later." The commissioners congratulated Detective Myers for his award.

CONSENT

BUSINESS SERVICES – HUMAN RESOURCES

Approve an order appointing Grace McDonald, Information Technology, to the Marion County Health Insurance Study Committee.

FINANCE

Approve the sale of tax foreclosed property, tax lot #R33153, and transfer title by quitclaim deed.

PUBLIC WORKS

Approve one-year lease of a one-half acre of county land, formerly part of the Macleay landfill, to Robert Barham for placement of honeybee hives.

MOTION: Commissioner Brentano moved approval of the consent calendar. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

ACTION

SHERIFF

1. Consider approval of an intergovernmental agreement with the Department of Corrections to receive \$1,041,390 for treatment services for drug-addicted clients under the supervision of the parole and probation division of the Sheriff's Office. – Commander Jeff Wood, Lt. Doug Cox

Commander Jeff Wood, Sheriff's Office, stated that this is an intergovernmental agreement (IGA) to receive \$1,041,390 for treatment services for drug-addicted clients under the supervision of the parole and probation division. Commander Wood said that during the waning hours of the last session, the legislature passed HB 3508 and the financial bill, HB 5055. He said that HB 3508, amongst many other things, provided for a delay of the Measure 57 offenders that were ratified by the voters during a previous statewide vote. The legislature also approved approximately \$10 million to counties for those costs associated with the delay of implementation of Measure 57.

In Marion County, there had been a group formed to figure out how to utilize these dollars for offenders who were being transitioned back into the community, who normally would be going into prison. The dollars will be used for SOAR (student opportunity for achieving results). It is a long standing collaboration with the Community Action Agency, Chemeketa Community College, Marion County Sheriff's Office, Health Department and some very needed leadership from the commissioners' office.

What this program does is to provide 12 weeks of intensive treatment, supervision and accountability for people being released from the Department of Corrections institution back into the Marion County community. He said the concept was brought forward about a year ago. He said this plan was brought forth to the state, which was approved. Commander Wood said the county gets approximately 11% of the total allocation from the state. Marion County is the second busiest office in the state of Oregon and corrections supervises approximately 4,200 offenders countywide. He said the SOAR program will begin in January 2010 and these dollars will be used for intensive supervision and will fund percentages of two transition parole officers, a supervisor and help fund the community corrections educator. It will also provide for treatment services that will be contracted with the Health Department. It will also provide cognitive work for offenders that are not quite ready for change in their lives, but will help them get ready. This money will also help provide employment services in collaboration with Chemeketa Community College. This program is designed to be evidence based. The program

coordinator has worked long and hard insuring this program meets SB 267 requirements, which is evidenced base, effective and the risk to the community will be significantly diminished.

Commissioner Milne clarified that this program would begin in January 2010 and at any given time there would be 25 in the program. She reiterated that 100 people per year would be going through this program. She asked if this money was biennial or just one year. Commander Wood said this money is biennial. He added that upon approval of the IGA the first half of the money would be received. The second half would be received July 1, 2010. He said it is a two-year budget and because the program is being started late, it can be extended past the biennial process.

Commissioner Carlson asked if the timing of the approval and the hiring of mentors are on track. Commander Wood said that he believes they can meet the timeline. He said they are doing everything they can to get the first class started on January 25, 2010. The mentors would then start approximately February 10, 2010. Commissioner Carlson asked about identifying the 25 people that will be in the first class and asked if there are efforts going on currently to identify those people. Commander Wood said that Measure 57 eligible offenders are anyone who has ever been previously convicted of or on supervision for crimes such as theft, aggravated theft, unauthorized use of a motor vehicle, burglary and criminal mischief. There is a finite number of crimes that a person would have to have in their criminal history to be eligible for this program. There are two transition parole officers that do reach ins, which is going into the institutions and contacting people that would be released by the time SOAR starts its first class.

MOTION: Commissioner Carlson moved approval of an intergovernmental agreement with the Department of Corrections to receive \$1,041,390 for treatment services for drug-addicted clients under the supervision of the parole and probation division of the Sheriff's Office. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

Commissioner Milne recessed the meeting at 9:23 a.m.
Commissioner Milne reconvened the meeting at 9:30 a.m.

PUBLIC HEARING

9:30 a.m.

PUBLIC WORKS – PLANNING

A. Public hearing to consider proposed amendments to the Marion County Rural and Urban Sign Code. – Sterling Anderson

Sterling Anderson, planning director, stated the board held a public hearing on the proposed amendments to the sign codes on August 16, 2006. At the conclusion of the hearing the board instructed staff to make additional amendments based on comments presented at the hearing and during a subsequent work session on the amendments. Soon after the hearing it was decided to hold off on the amendments until the City of Salem developed an updated code in response to new sign technology.

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On July 27, 2009, the city adopted substantial amendments to its sign code. During the city review process the board held several work sessions to review staff's efforts to update the county codes and to receive an update on the progress being made by the city.

Following adoption by the city, staff has made substantial amendments to the county codes to include many of the changes made by the city into the urban sign code and the rural sign code. These amendments were reviewed at the work session held on September 1, 2009. At the work session the board requested several minor changes to the proposed amendments. The board also approved staff moving forward to request comments on the amendments from interested parties and the cities in Marion County. To date no comments have been received.

TESTIMONY:

None.

Commissioner Brentano asked if Mr. Anderson could talk about the new television type signs for the public that may be watching this board session. Mr. Anderson said that there are a lot of new definitions for those types of signs, such as a nit, which means a light level. The new technology and terminology was incorporated into the code. The approach the city and county are taking on these signs is a single family residential zone is the most restrictive and these types of signs are not allowed, except for certain uses in those zones such as churches and schools. The dwell time, which is the time between the change in the message is eight seconds. The dwell time for a time temperature sign is three seconds. Another provision that the county has, but the city does not is allowing a temporary sign, the changeable message board signs and these have a six second dwell time.

Mr. Anderson said that in the industrial zones, the county and city are less restrictive. The signs can get bigger, be taller and they do allow the electronic message board signs at will in those zones, subject to size and height limitations. The commercial office zone is often located next to a residential zone. In these type of zones, there is a fifteen minute dwell time, as opposed to the eight seconds. Mr. Anderson said there is a more protective, restrictive approach in the single-family residential zone to a less restrictive in the industrial and commercial zones.

Commissioner Carlson asked where the vehicle signs show up in the code. Mr. Anderson said it is in Chapter 31, which is the urban sign code, on page 6. Commissioner Carlson asked where the provisions were for temporary signs. Mr. Anderson said that in the definition it states 60 days, twice per year.

Commissioner Milne wanted to know if the code approved a truck and some big sign that is advertising an event or is a political sign. Mr. Anderson said the code allows a temporary signs for a 60-day period, twice per year. He said this was tailored because most of these type signs are election signs.

Commissioner Carlson asked what an "adjustment" was that is in the code. Mr. Anderson said the common term used previously was "variances". In the rural code, the reference is still a

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variance, but the urban code when originally adopted, the term variances were eliminated as a process and “adjustment” was created.

Commissioner Carlson clarified that in a single residential zone a political sign could be put up with no adjustment if it was smaller. This is only for the larger signs.

MOTION: Commissioner Brentano moved to close the public hearing and approve the proposed amendments to the Marion County Rural and Urban Sign Code and direct staff to produce the ordinance implementing the changes. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

Commissioner Milne then read the calendar.

Commissioner Milne adjourned the meeting at 10:02 a.m.

Attachments:

ABOVE MINUTES APPROVED

CHAIR

COMMISSIONER

COMMISSIONER

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