

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, December 17, 2008
Marion County Courthouse Square

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

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

Commissioner Brentano called the meeting to order.

PUBLIC COMMENT

None.

PRESENTATION

PRESENTATION

United Way Recognition – Jolene Kelley, Cyndi Astley, Dick Withnell

Dick Withnell, United Way campaign chairman, Cyndi Astley and Jolene Kelley presented the United Way results for the county. Mr. Withnell thanked the commissioners for their support and leadership. Ms. Astley gave the numbers of the United Way campaign overall. For the United Way campaign this year, about 30 percent of the \$2 million goal has been reported. The goal for this year was half a million dollars more than last year and there have been significant increases in campaigns that have reported so far. The overall campaign had a presidential election in the middle of it. There are several campaigns that will be reporting their numbers the first couple weeks of December and the community celebration will be March 12, 2009, at the Salem Conference Center at 5:30 p.m. There will be several recognitions at the community celebration.

Jolene Kelley reported that she was honored to co-chair the campaign this year and thanked Julia Kentta-Kerr for being a co-chair. She thanked the employees of Marion County for their generosity and increased participation this year. Last year, there was a significant increase over donations for the previous year and employees were able to sustain that this year with a 6.8 percent increase for a total of \$28,005.25.

Commissioner Carlson thanked Ms. Kelley for her work on the campaign. She pointed out some outstanding statistics: legal counsel had a 77.9 percent increase in donations and a 50 percent increase in participation, information technology had a 75.93 percent increase in donations and a 50 percent increase in participation, public works had a 47.63 percent increase in donations and a 45.45 percent

increase in participation, the district attorney's office had a 16 percent increase in donations and a 33 percent increase in participation, the clerk's office had a 45.53 percent increase in donations and a 20 percent increase in participation from last year. The departments with the most contributions are the district attorney's office, health department and business services/finance departments. The board of commissioner's office came in first in two categories, the department of children and families came in second in highest average contribution per employee, the housing authority came in second in highest percentage of employees participating, and health came in second for most contributions overall.

Ms. Kelley provided a certificate to Ms. Kentta-Kerr for her assistance in co-chairing the campaign. Ms. Kelley and Ms. Kentta-Kerr distributed certificates to department representatives who assisted with the campaign. The board of commissioners recognized Ms. Kelley for her outstanding service as employee coordinator for the 2008 United Way Campaign.

Commissioner Milne commented that this is not an easy task and said Ms. Kelley is a great organizer. She said this is a very worthwhile cause and thanked people involved.

160th Celebration – Sheriff Isham

Kevin Schultz and Sara Zavala came forward to provide a PowerPoint presentation. The Marion County Sheriff's Office is celebrating 160 years of service, 1849-2009. Commander Schultz provided history about development of the sheriff's office. Marion County was initially part of Champooick District created in 1843, which stretched as far east as the Rocky Mountains and as far south as Northern California. Champooick District was reduced in size with the creation of several counties and was re-designated as Champooick County in 1845. In 1849, Champooick County was renamed Marion County, and Salem was designated as the county seat.

To celebrate and commemorate 160 years of service to the community, sworn staff will wear a commemorative uniform badge that will resemble the badge that the sheriffs and deputies of the historical past wore. The commemorative badge will be purchased at staffs' own expense and will be worn January 1, 2009, through December 31, 2009. Staff will keep the commemorative badges. The Sheriff's Office is looking at jackets, polo shirts or lapel pins with the same design as the commemorative badges that non-sworn staff would be able to purchase.

The office of the sheriff actually precedes the designation of Marion County. Commander Schultz said this is about providing quality service to the community. He invited other county departments to join in the celebration of 160 year of community service. Newly-elected Sheriff Russ Isham's radio number is Alpha-160 and the first day of his newly elected first term will be the beginning of 160th celebration. In 2009, the Sheriff's Office will provide historical information to the public via the website, community events and other community meetings. The crime prevention and neighborhood watch will use 160 years of community service as a theme for 2009. Commander Schultz and Sara Zavala showed some historical pictures.

Commissioner Milne asked where the sworn in officers would be wearing their badges. Commander Schultz said it will actually replace the current badge for one year and then the current badge will be

worn again.

Commissioner Brentano asked if it was based on an earlier design. Commander Schultz said the Sheriff's Office contacted the Oregon State Sheriff's Association to look at different styles of historical badges and this design was chosen based on the look of the majority of historical badges worn by peace officers and sheriff's offices of that time. Sheriff's office staff was also included in choosing a final design.

Commissioner Carlson thanked Commander Schultz and Sara Zavala for sharing this history. She also indicated that Marion County was part of the Champooick District in 1843 and the districts were re-designated as counties in 1845. In 1849, the legislature renamed the county to Marion County and the present geographic boundaries were determined in 1856.

CONSENT

BOARD OF COMMISSIONERS

OLCC Application – Recommend Approval

Blue Moon Enterprises, dba Swiss Village – Lyons

BUSINESS SERVICES

Approve an order adopting an administrative policy for building security and access.

HEALTH

Approve a three-year contract for a not-to-exceed amount of \$120,000 with Manya Helman, MD, to provide medical supervision and oversight services for the Health Department.

Approve renewal of an annual contract for \$162,000 with Mid-Valley Independent Physicians Association for third party administrator services on a per-member per-month basis for Oregon Health Plan members.

Approve amendment #63 to receive \$350,713, from the Department of Human Services for the financing of community mental health, developmental disability and addiction services.

TAX COLLECTOR

Approve an order authorizing the property tax refund of \$50,904.61 to NC4, LLC.

Approve an order authorizing the cancellation of uncollectible personal property tax accounts.

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

ACTION

BOARD OF COMMISSIONERS

1. Consider approval of an order appointing the chair, vice chair and second vice chair of the Marion County Board of Commissioners for calendar year 2009. – Chair Brentano

Commissioner Brentano said this is an annual event where we rotate the chair, vice chair and second vice chair of the Marion County Board of Commissioners for calendar year 2009. Commissioner Milne will be chair, Commissioner Carlson vice chair and Commissioner Brentano as second vice chair.

MOTION: Commissioner Milne moved approval of an order appointing the chair, vice chair and second vice chair of the Marion County Board of Commissioners for calendar year 2009. Seconded by Commissioner Carlson, motion carried. A voice vote was unanimous.

PUBLIC WORKS – FAIR

2. Consider approval of a contract for up to \$152,300 to Sweeney Promotions, Inc., to provide sponsorships/fundraising, marketing, promotion, coordination, organizing, booking entertainment/attractions and related services for the 2009 Marion County Fair. – Bill Worcester, Alan Haley

Bill Worcester, Public Works director, reported that the county had been working with Sweeney Promotions on previous county fairs and the feedback about Sweeney Promotions has been very good. There was a request for proposals (RFP) earlier this year for promotion services for the 2009 fair and Dean Sweeney was the only person who submitted a proposal. He said they negotiated a contract that was pretty much the same as last year with the exception that if he is able to increase gate attendance, he will receive a bonus. He is recommending approval of this contract.

Commissioner Milne said there was an update on the fair and this seems like a healthy amount. The important thing to remember is that Mr. Sweeney will be paying for a number of expenses out of the funding. This keeps the accounting cleaner. Mr. Worcester said it is easier to track everything and reduces the number of contracts for the county to process.

Commissioner Carlson said Sweeney Promotions would receive \$12,000 for running the marketing campaign. They hire a part-time event coordinator for a flat fee of \$15,000. The event coordinator determines where the port-a-potties go, runs the garbage services, and assures the ambulance is where it is supposed to be and several other details. The prior fair board, consisting of volunteer fair board members, tried to coordinate everything, and it was very fractured and led to additional costs paid to the Oregon State Fair. There is a budget of up to \$40,000 for the marketing costs, which includes radio ads, television ads, newspaper ads, printing, postage, etc. The entertainment expenses are \$32,800, and the event and activity expenses are \$20,800. Those expenses are all run through Sweeney Promotions. Sweeney Promotions also solicits the fundraising for the fair on a percentage basis of 25 percent up to \$20,000, 35 percent for more than \$20,000 and 10 percent for in-kind sponsorships.

Commissioner Carlson said the bonus was put in the RFP as a conceptual idea this year. If there were a 10 percent increase in admissions, it would cover the cost of a 10 percent bonus on the sponsorship amount. The county would have that money to cover the fee and a little more. It also means more people will be at the fairgrounds, which indirectly increases revenue for the fair. The only amounts for direct reimbursement in this contract are the \$27,000 for marketing and event coordination and the percentage sponsorship based on the amount raised.

Commissioner Brentano said that Dean Sweeney has done a great job, and he has seen the improvements. He has some concern about oversight in terms of monies Mr. Sweeney has discretion over and asked if there is a form or approval process. Commissioner Carlson said Mr. Sweeney reports to the fair board. Payments show on the general ledger and are tracked on a monthly basis in the treasurer's reports. The fair board is responsible to make sure the fair runs smoothly and Public Works manages accounting and fiscal services for the fair.

MOTION: Commissioner Carlson moved approval of a contract for up to \$152,300 to Sweeney Promotions, Inc., to provide sponsorships/fundraising, marketing, promotion, coordination, organizing, booking entertainment/attractions and related services for the 2009 Marion County Fair. Seconded by Commissioner Milne; motion carried. A voice vote was unanimous.

3. Consider approval of an order appointing Nathan Leao to the Marion County Fair Board to complete a vacated position with an expiration date of December 31, 2009. – Glenis Chapin

Glenis Chapin, volunteer coordinator, reported that Nathan Leao is being recommended to fill a vacated position with the Marion County Fair Board with an expiration date of December 31, 2009.

Mr. Leao said he has been married for nine years and has three daughters. He is very excited about serving on the Fair Board and would like to build relationships and help to build bigger and better opportunities for residents of Marion County to enter exhibits for the fair. He sees this as an opportunity to build on the existing fair and make it better for the future.

Commissioner Milne thanked him for volunteering. She appreciates that his employer is encouraging him to serve on the fair board. Commissioner Carlson thanked Mr. Leao for coming and said he had attended the November and December fair board meetings. He is filling the position that the former treasurer resigned from; however, he will not be acting as treasurer. The fair board is statutory, but there is nothing in the legislation about a treasurer. It is likely someone from Public Works will fill the role of treasurer.

MOTION: Commissioner Milne moved approval of the order appointing Nathan Leao to the Marion County Fair Board to complete a vacated position with an expiration date of December 31, 2009. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

PUBLIC HEARINGS
9:30 A.M.

PUBLIC WORKS

A. Public hearing to consider a gate request on no name road off of Crosby Road, Woodburn. – Patricia Nordahl

Patricia Nordahl, public works, reported that this is a proposal to gate a non-county road located off of Crosby Road, north of Woodburn. The petition to gate was filed with Marion County in November. The dedicated 40 foot wide public roadway was platted on Whitney's Petmina Acres in 1912. There is a paved section off of Crosby Road that was accepted into the county roadway system in 1947. It turns into a gravel section that is marginally developed, which ends near the petitioners' barn.

One neighboring property owner voiced concerns over having a gate installed. If the gate request is granted, Marion County, Portland General Electric, fire department and Sheriff's Office staff will need to have unobstructed access beyond the gate. She showed slides from a PowerPoint presentation showing where the Wurdingers are proposing putting the gate. The road is public but not maintained by the county. The Public Works Department recommendation is to grant the gate placement subject to satisfying all of the requirements set forth in the engineer's report. All of the requirements would need to be met within 120 days of the board of commissioner's signing the order.

Commissioner Milne asked who will be installing and maintaining the gate. Ms. Nordahl said the petitioner would need to pay all of the costs associated with placement, signing and maintenance of the gate. They would also pay the cost if it were later determined that the gate needs to be removed.

Commissioner Carlson said the staff summary says that 100 percent of the owners affected by the proposed gate placement are in favor of doing this. Marion County and the petitioner are the two owners affected by the proposed gate placement. The neighbor that voiced concern is a property owner on the other side of Crosby Road.

Commissioner Brentano asked what the neighbors were concerned about. Ms. Nordahl responded that they were concerned there would be no access, that the petitioner would incorporate the non-county road into their property and use it, and that there would be things going on that nobody would be paying attention to.

TESTIMONY:

Support:

Karen Wurdinger, 9209 Crosby Road NE, Woodburn, stated the fifteen-foot gravel section of road was put in by the Wurdingers and has been maintained by the Wurdingers. Her preference would have been

for the road to be vacated, because there have been a lot of problems. For example, she left to run errands last Friday and when she came back she saw a mule going up the road toward Crosby Road. Someone had cut the rope on the gate. She said there is no reason for anyone to go to the barn. The gate will help slow people down from going down there. This is 280 yards of road that goes directly to the barn.

Commissioner Carlson asked Ms. Nordahl why the county wouldn't want to vacate. Ms. Nordahl said that the county doesn't want to vacate, because Marion County is a second owner and does not want to eliminate the possibility of a second access in the future for all of the property that is being used out there.

MOTION: Commissioner Carlson moved to close the public hearing and approve the placement of the gate subject to satisfying requirements stated by public works.
Seconded by Commissioner Milne; motion carried. A voice vote was unanimous.

Commissioner Brentano read the calendar.

Commissioner Milne spoke about the bank bombing in Woodburn that critically injured Woodburn Police Chief Scott Russell and took the lives of Captain Tom Tennant from the Woodburn Police Department and Oregon State Trooper William "Bill" Hakim. She thanked people for their support for the families and listed services that would take place for Captain Tennant and Trooper Hakim. Commissioner Brentano thanked the sheriff's office and district attorney's office for the work they have done related to the situation.

Commissioner Brentano adjourned the meeting at 10:03 a.m.

Attachments: None

ABOVE MINUTES APPROVED

CHAIR

COMMISSIONER

COMMISSIONER

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