

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, April 27, 2016  
9:00 a.m.

Senator Hearing Room  
555 Court Street NE  
Salem, OR 97301

PRESENT: Commissioner Kevin Cameron, Commissioner Sam Brentano, Commissioner Janet Carlson. Also present were John Lattimer as chief administrative officer, Gloria Roy as county counsel and Kristy Witherell as recorder.

Commissioner Cameron called the meeting to order at 9:00 a.m.

**PUBLIC COMMENT**

*(Video Time 00:01:16)*

David Beem:

- Encouraging families to attend the Oregon State Fair.

**PRESENTATION**

*(Video Time 00:03:12)*

Economic Development – Oregon Garden 3<sup>rd</sup> Quarter Report – Mark Hunter

**Summary of presentation:**

- Raised money to redesign the office to be more productive for the employees, as well as create an onsite presence for the Oregon Garden Foundation;
- Increased endowment;
- Awarded a mini-grant from the American Conifers Society;
- Recreating signage for all of the plants in the garden;
- Setting a small goal of \$20,000 per year to go into the Horticulture Endowment Fund that will help with updating the gardens infrastructure; and
- Digging in the Dirt fundraiser, May 14, 2016 from 10:00 a.m. – 4:00 p.m.

**Board discussion:**

- The Oregon Garden Foundation is making great strides to better the garden.

*(Video Time 00:16:55)*

Economic Development – SEDCOR 3<sup>rd</sup> Quarter Report – Chad Freeman

**Summary of presentation:**

- There has been a noticeable increase in the economy over the past five years;
- Marion County has a 2 percent vacancy for industrial buildings;

- Marion County has the best industrial land in the state;
- Woodburn has recently increased the Urban Growth Boundary to make room for new industrial land;
- 85 percent of the job growth around the region is coming from existing companies expanding;
- Attended several trade shows across the United States, particularly in manufacturing and food processing;
- Working in close partnership with Team Oregon:
  - Statewide effort to leverage economic development efforts to sell the state.
- Working with schools and throughout the community, trying to create a future workforce to help businesses expand.

***Board discussion:***

- The board would like a follow-up on the voluntary drug testing the Career Technical Education Center (CTEC) students are participating in.

**CONSENT**

*(Video Time 00:28:45)*

ASSESSOR'S OFFICE

Approve the Fiscal Year 2016-17 County Assessment Functions Funding Assistance (CAFFA) Grant.

BUSINESS SERVICES

Approve an order appointing Steve Bergmann to the Marion County Compensation Board with a term ending December 31, 2016.

Approve a recommendation to uphold pay grade for Crew Leader, #414.

Approve a recommendation to adjust upward salary ranges for: Civil Engineer, #306; Engineering Division Manager, #314; Environmental Services Division Manager, #354; Environmental Services Operations Supervisor, #346; Maintenance Worker, #401; Medium Equipment Operator, #402; Heavy Equipment Operator, #404; Road Operations Supervisor, #412; Public Works Division Manager, #422; Victim Assistance Manager, #620; Victim Assistance Coordinator, #621; Victim Assistance Advocate, #624.

LEGAL COUNSEL

Approve Amendment #4 to the Lease Agreement with Valley Office Buildings, LLC to extend the Law Library lease located at 234 High Street through June 30, 2017.

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

***Board discussion:***

- Every year the commissioners approve the CAFFA grant, which is a portion of the Assessor's budget;

- The commissioners would like to acknowledge Jerry Bumgarner's great service on the Marion County Compensation Board; and
- The additional lease cost of the Law Library does not come out of the general fund; it comes out of state dollars.

## ACTION

*(Video Time 00:33:18)*

### BOARD OF COMMISSIONERS

1. Consider approval of an ordinance amending Marion County Code Chapter 8.40 relating to smoke-free and tobacco-free property by emergency procedure. – Bruce Armstrong

***Summary of presentation:***

- In July 2015, the board adopted code provisions that made county owned or leased property smoke free and tobacco use free;
- Eliminated provisions in prior code language that prohibited smoking within 10 feet of an entrance or exit, ventilation intake or window that opens;
- Encountered problem where county property abuts to a city sidewalk that could violate the Oregon Indoor Clean Air Act;
- Current code cannot enforce not smoking on city sidewalks;
- Discussions allowing designated smoking areas on Courthouse Square block;
- Addressed smoking within 10 feet of an entrance or exit:
  - Proposed language would incorporate within 10 feet prohibition; and
  - Incorporate in code provisions.
- Under the current code, designated smoking areas are allowed in 24 hour facilities:
  - Juvenile Department;
  - Jail; and
  - Public Works.
- Designated smoking areas are allowed at Courthouse Square by transit and at the Marion County Fair;
- As of July 1, 2016, designated smoking areas at the Juvenile Department, Jail and Public Works will be ending;
- Will be adding a Subsection C within Marion County Code 8.40.040:
  - States that a person may not smoke, aerosolize or vaporize an inhalant or carry a lighted smoking instrument within 10 feet of the following parts of a county owned or leased building;
    - Entrances;
    - Exits;
    - Windows that open; or
    - Ventilation intakes that serves the building.
- Requested that it be adopted by the board by emergency procedure.

***Board discussion:***

- Marion County wants to be in compliance with the Oregon Indoor Clean Air Act; and
- If there is a violation, Marion County can be held responsible.

**MOTION:** Commissioner Brentano moved that the chair read the ordinance by title only twice. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

Commissioner Cameron read the title only twice.

**MOTION:** Commissioner Brentano moved for approval of an ordinance amending Marion County Code Chapter 8.40 relating to smoke-free and tobacco free property by emergency procedure. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

*(Video Time 00:45:32)*

### PUBLIC WORKS

2. Consider approval of a Right-of-Way Dedication of a permanent roadway easement along Twin Fir Lane S., Salem. – Cindy Schmitt

***Summary of Presentation:***

- When the county acquires surplus properties through tax foreclosure or other means, Public Works solicits comments from different staff around the county to see if issues need to be addressed;
- Asking to dedicate right-of-way from the parcel frontage for permanent easement for roadway purposes;
- Rural road with varying widths of right-of-way along the road;
- Would like to have a consistent right-of-way along the road; and
- Asking for a 10 foot dedication which is 1,763 square feet.

**MOTION:** Commissioner Carlson moved for approval of a Right-of-Way Dedication of a permanent roadway easement along Twin Fir Lane S., Salem. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

*(Video Time 00:49:10)*

3. Consider approval of a Right-of-Way Dedication of a permanent roadway easement at Washington Street and First Avenue in Stayton. – Cindy Schmitt

***Summary of Presentation:***

- In an urban location with a main intersection and a traffic signal;
- Lanes are narrow, which causes damage to traffic signals;
- An old fuel station sits on the parcel;
- Requesting right-of-way on Washington Street where the lanes are the most narrow;
- The City of Stayton is aware of the discussions of options for the parcel; and
- Asking for 1,890 square feet dedication.

**MOTION:** Commissioner Brentano moved for approval of a Right-of-Way Dedication of a permanent roadway easement at Washington Street and First Avenue in Stayton. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

(Video Time 00:52:10)

4. Consider approval of the incoming funds agreements for Marion County Infectious Waste Disposal through September 20, 2017. – Dennis Mansfield

The contractors for this agreement are as follows:

Marion Recycling Center, dba Marion Environmental Services

Environmental Compliance consultants

Dahl Disposal Services, Inc.

Critical Care Bio Recovery, LLC

Waste Management of Washington

Tualatin Valley Fire and Rescue

Thompsons Sanitary Service, Inc.

Stericycle, Inc.

Shred 4 Less

Sanipac, Inc.

Portland Fire and Rescue

North Lincoln Sanitary Service

Murrey's Disposal Company, Inc.

***Summary of Presentation:***

- In 2014, Public Works, at the direction of the Board of Commissioners, began working with the Finance Department and Legal Counsel to revise the existing Medical Waste Hauling Agreement that allowed haulers to bring boxed medical waste to Covanta;
- In July 2015, a final version approved by the Board of Commissioners and Legal Counsel was sent out to the firms on record as hauling medical waste to Covanta; and
- Received all of the haulers signed agreements.

***Board Discussion:***

- The contract defines infectious waste as not including human fetal tissue;
- Excluded waste includes human fetal tissue;
- Recently had a conversation that Marion County has the right to inspect shipments:
  - Currently, does not have a process in place to conduct inspection;
  - Recently went out for a Request for Proposal (RFP) to conduct inspection with no responses; and
  - Will create another RFP.

**MOTION:** Commissioner Carlson moved for approval of the incoming funds agreements for Marion County Infectious Waste Disposal through September 20, 2017. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:58:10)

**SHERIFF'S OFFICE**

5. Consider approval of a proclamation designating May 1-7, 2016 as Corrections Professionals Recognition Week in Marion County. – Sheriff Jason Myers, Commander Kevin Schultz

***Summary of presentation:***

- Inmate population suffers from mental health issues:

- Drug and alcohol addiction; and
- Gang membership.
- Commander Schultz appreciates the hard work of the jail deputies in Marion County;
- The Oregon State Sheriff's Association conducted their inspection of the Marion County Jail:
  - Stated that the Marion County Jail is their favorite to inspect;
  - It's quiet;
  - Clean; and
  - The employees are professional.
- The week of May 1-7, 2016, the food services staff will be providing special meals for the deputies.

**MOTION:** Commissioner Brentano moved for approval of a proclamation designating May 1-7, 2016 as Corrections Professionals Recognition Week in Marion County. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

The commissioners read the proclamation.

Convened Board Session  
Reconvened as Contract Review Board

*(Video Time 01:15:00)*

CONTRACT REVIEW BOARD

FINANCE

1. Consider waiver of minor informalities contained in the proposals submitted by AC+Co Architecture Community for the Request for Proposals for the Juvenile Courts Expansion and Administration Remodel and the Sheriff Parole/Probation and Central District Office Buildings. - Camber Schlag and Colleen Coons-Chaffins

***Summary of Presentation:***

- Business Services issued Requests for Proposals (RFP) for architecture and engineering services for the juvenile courts expansion and administration remodels and the Sheriff's Office Parole and Probation and central district office buildings, both on Tuesday, April 13, 2016;
- The RFP closing deadline was April 22, 2016;
- The county received two proposals for the juvenile project and three for the Sheriff's Office project;
- One of the proposals from each RFP contained a minor informality, which did not affect the content or the cost;
- The minor informality was pursuant to Section 2.1 under Proposal Format:
  - The RFP must be stapled in the left upper corner, do not use spiral notebooks, glue or other methods of binding proposals; and
  - Both RFP's issued contained spiral bindings.
- By allowing the county to accept the firms spiral bound proposals, AC+Co would be a contender in considering their proposal.

**MOTION:** Commissioner Carlson moved approval of a waiver of minor informalities contained in the proposals submitted by AC+Co Architecture Community for the Request for Proposals for the Juvenile Courts Expansion and Administration Remodel and the Sheriff Parole/Probation and Central District Office Buildings. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

Convened Contract Review Board  
Reconvened Board Session

## PUBLIC HEARINGS

9:30 A.M.

None.

Commissioner Cameron read the calendar.

Commissioner Cameron adjourned the meeting at 10:31 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

Board Sessions can be viewed on-line at <http://www.youtube.com/watch?v=VYF8Y6U7178>.