

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, June 27, 2018
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97305

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

ABSENT: Commissioner Sam Brentano

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

PUBLIC COMMENT

(Video Time 00:01:00)

David Beem:

- Wanting to create a drop in center for mentally ill individuals after 5:00 p.m.

Carol Doerfler:

- President of the West Keizer Neighborhood Association;
- Representing the association;
- Asking the board to consider the issues with people using the quarry across the river as a shooting range;
- Public safety is in jeopardy down by the river;
- Several shooting incidents in the area;
- The shooting is coming from Polk County into Marion County;
- On September 10, 2017, bullets came through a neighborhood park;
- There was another incident on June 2, 2018, that a bullet hit a home and went through the backsplash of the kitchen;
- There was a gentleman who stopped and visited with a neighbor that lives on Rafael Drive and stated he dug a .45 caliber bullet out of one of his trees;
- This is unacceptable in a neighborhood;
- Commissioner Carlson contacted the mayor of Keizer to see what pathways the neighborhood association can take on the matter and Ms. Doerfler would like to know the status; and
- The neighbors have not received updates on what is being done.

Board discussion:

- This is a terrible situation that needs resolution soon;

- Three jurisdictions with all different levels of authority and different geographic areas;
- This is somebody's property that the property owner allows people to shoot on;
- Polk County needs to do something on the land use side;
- The City of Keizer does have an ordinance prohibiting the discharge of firearms within city limits, but the issue is bullets coming into the city;
- Marion County's jurisdiction is where properties are not within the city limits;
- It's a complicated subject, because there are several different jurisdictions affected;
- The shooting is happening in Polk County:
 - Stray bullets are entering Marion County and into Keizer.
- The county can look at having an ordinance that makes the West Keizer Neighborhood Association area a shooting free zone; and
- If the county were to pass something, it would take a vote of the residents in the zone.

Dan Dietz:

- Made contact with the property owner of the quarry;
- The property owner has been cooperative and understands the issues;
- The property owner is stating that there are people that come onto his property to shoot;
- It is not a developed range:
 - It is not certified;
 - It is not a club; and
 - It is not a range for hire.
- It started out him allowing his kids to go down and shoot:
 - Invited friends to come to the quarry; and
 - Friends of friends go to the quarry.
- There is no safe direction to shoot in the area;
- A miss-aimed rifle or pistol will go over the berm;
- It affects three governmental agencies;
- Hoping the three governmental agencies will work together for the safety of the neighborhood; and
- Has lived along the river for 18 years.

Rhonda Rich:

- Lives in Keizer;
- Lives five houses down from the house that was hit by a stray bullet;
- Worries about being in her backyard;
- Appreciates the commissioners for taking this issue seriously;
- Wants to feel safe in her own home;
- The neighborhood plans on attending Polk County's Board Session; and
- This isn't a Second Amendment issue, it's a public safety issue.

PRESENTATION

(Video Time 00:24:00)

Economic Development – Oregon Garden Foundation Grant Report – Tamra Goettsch; Allison Pennell, Oregon Garden Foundation

Summary of presentation:

- Marion County receives annual resources from the State of Oregon from the lottery proceeds:
 - Supports economic growth and tourism.
- Highlights from the second quarter:
 - Christmas in the Garden event:
 - Produced by the Oregon Garden Resort;
 - 55,000 attendees; and
 - Royalties were assessed to help with the debt repayment at \$1 per paid attendee.
 - Oktoberfest:
 - Raised \$5,400; and
 - On track to participate in the event in September 2018.
 - Receives the Transient Occupancy Tax (TOT), which was \$51,000;
 - Year-end appeal, which totaled more than \$7,000:
 - Allocated to the Natural Resources Educational Program.
- Third quarter highlights:
 - New fundraising program at the garden to help offset the cost of the annual plants:
 - Cultivate Color Program;
 - Requires an annual donation;
 - Trying to get more programs that require repeated donations to help the garden maintain itself and grow;
 - Launched Spring of 2018; and
 - Reached \$1,000 of the \$6,000 goal.
 - Applied for the Hardy Plant Society of Oregon Grant:
 - Will fund a trillium collection, which are little woodland flowers that bloom in the early spring.
 - Developing ongoing relationships with the Oregon Association of Nurseries, who founded the Oregon Garden:
 - Looking to get corporate sponsors for annual support.
 - Received funding from Roth's Fresh Markets to provide funding for educational programs;
 - Golf fundraiser on October 1, 2018 in Oregon City;
 - Working on creating programs that are garden and pollinator focused;
 - Would like to have programs focused at middle school aged children; and
 - Working on the debt forgiveness proposal from Marion County.

Board discussion:

- Christmas in the Garden was a huge success because of great the weather;
- The benefit to having so many sponsors involved with the Oregon Garden is the ability to tap into the talents and available resources that each of the organizations bring to the table;

- The Oregon Garden Foundation has a relationship with the Silverton Chamber of Commerce:
 - Ms. Pennell attends the chamber meetings.

(Video Time 00:33:58)

2018 Marion County Fair Highlights – Tamra Goettsch and Marion County Fair Board Members

Summary of presentation:

- Marion County Fair will be held July 12-15, 2018;
- This year will be Marion County's 49th fair;
- Fair highlights:
 - \$9 entry fee;
 - Rodeo Saturday evening;
 - Real heroes display;
 - Carnival rides;
 - Alaskan racing pigs;
 - Teen Idol singing contest; and
 - Muddy Paws fly ball tournament.
- Themed days during the fair:
 - Thursday is Honor Day;
 - Friday is Awesome Day;
 - Saturday is Ag Day; and
 - Sunday is Family Day.
- Will be having a barbeque grill off contest on Sunday:
 - Ace Hardware donated grills;
 - Food Services of America donated \$500 towards the purchase of meat;
 - A team can be made up of 1-3 people;
 - Looking for great backyard barbecuers;
 - First place prize is a \$600 Traeger grill; and
 - Second place prize is a \$300 Weber grill.
- Hosting a car show on Sunday near the barbeque competition;
- Will have a full service bar on Friday and Saturday evening;
- The theme for the competitions is 175 year anniversary of Marion County becoming a county; and
- Hosting three corporate gatherings at the fair.

Board discussion:

- The commissioners appreciate all of the work that is done to put on the Marion County Fair.

CONSENT

(Video Time 00:58:40)

BOARD OF COMMISSIONERS

Approve an order amending the initiation of Title III funds from the Secure Rural Schools and Community Self-Determination Act of approximately \$500,000 for law enforcement patrols and training equipment purchases for search and rescue and other emergency services.

Approve an Intergovernmental Agreement with the USDA-APHIS, Wildlife Services for wildlife damage management services in Marion County, and designate John Lattimer as the authorized representative for this agreement.

COMMUNITY SERVICES

Approve an order awarding the Fiscal Year 2017-18 Community Project Grant Applications to the following:

- City of Gervais, \$25,000; and
- Jefferson School District, \$19,000.

Approve the ratification of the Economic Development Grant Award in the amount of 100,000 to Chemeketa Community College Diesel Mechanics Program.

FINANCE

Approve Amendment #1 to the Contract for Services with Grove, Mueller & Swank, PC to add \$80,952 for audit services and extend through June 30, 2019.

HEALTH

Approve the Intergovernmental Agreement with Polk County for \$152,314.20 to provide funding to support the Public Health Modernization Grant through June 30, 2019.

Approve incoming funds Amendment #10 with the Oregon Health Authority to add \$2,731,486 for the financing of public health services beginning July 1, 2018 through June 30, 2019.

PUBLIC WORKS

Approve the incoming funds Intergovernmental Agreement with Oregon Department of Transportation for \$520,397.46 for the Kale Street at Cordon Road construction project.

Approve the Public Improvement Agreement with Intermountain Slurry Seal, Inc. for \$445,393.62 for 2018 slurry sealing of various roads in Marion County and the cities of Salem, Silverton, Stayton, and Turner.

TAX OFFICE

Approve an order authorizing the property tax refund in the amount of \$16,393.51 to Terminal Freezers, LLC.

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

ACTION

FINANCE

1. Consider approval of a resolution to adopt the fourth supplemental budget for fiscal year 2017-18. **(TO BE ACTED ON FOLLOWING PUBLIC HEARING)** – Debbie Gregg

2. Consider approval of a resolution to adopt the fiscal year 2018-19 budget, make related appropriations, and impose and categorize property taxes. **(TO BE ACTED ON FOLLOWING PUBLIC HEARING)** – John Lattimer

(Video Time 01:01:58)

PUBLIC WORKS

3. Consider a resolution waiving certain provisions of Marion County Code Chapter 5.10 applicable to the franchise between the county and Comcast of Oregon, LLC. – Alan Haley, Scott Norris

Summary of presentation:

- Currently in negotiations with Comcast;
- Believed it was better to put the issues inside the franchise agreement instead of the Marion County Code;
- Need to waive the 16 sections of the code on behalf of Comcast, and let the franchise speak to the issues;
- The new franchise with Comcast was negotiated with the county and City of Salem;
- The city has a franchise with Comcast for the city limits;
- The city and the county have identical cable ordinances;
- The city is waiving the same provisions in their code;
- Section 5.10.030 is a definition of gross receipts:
 - Highly negotiated term; and
 - Relates to the calculation of fees under the franchise agreement.

MOTION: Commissioner Cameron moved for approval of a resolution waiving certain provisions of Marion County Code Chapter 5.10 applicable to the franchise between the county and Comcast of Oregon, LLC. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

(Video Time 01:06:19)

4. Consider approval of the Franchise Agreement with Comcast of Oregon, LLC through June 30, 2028. – Alan Haley

Summary of presentation:

- In 1994, Marion County started a franchise with Far West Communications:
 - It transferred between multiple companies.
- Provisions in the original agreement for five year extensions;
- Have been in individual extensions since 2010;
- Eight and a half year process putting a new franchise agreement together;

- The new franchise agreement is for 10 years;
- The City of Salem is adopting their franchise agreement in June; and
- The agreement is from July 1, 2018 through June 30, 2028.

Board discussion:

- Long time coming;
- There will be two high definition cable access channels:
 - Will be up and running no later than November 2018.

MOTION: Commissioner Cameron moved for approval of the Franchise Agreement with Comcast of Oregon, LLC through June 30, 2028. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

(Video Time 01:12:24)

5. Consider approval of the Letter of Agreement with Comcast Cable Franchise for phased dark fiber strands through July 1, 2022. – Alan Haley; Tim Goodman, Comcast of Oregon, LLC

Summary of presentation:

- Using Comcast fiber for iNet, which is fiber interconnectivity for government offices;
- The agreement is to get off of the fiber and return the strands back to Comcast;
- 137 strands are assigned to Marion County through six different sites;
- 96 of the 137 strands are between the courthouse and courthouse square:
 - Since those strands are not usable to Comcast, they will turn them over to Marion County at the signing of the agreement.
- The agreement states that Marion County will turn over 26 strands to Comcast within 30 days of signing the agreement; and
- The county has four years to return 15 strands to Comcast.

MOTION: Commissioner Cameron moved for approval of the Letter of Agreement with Comcast Cable Franchise for phased dark fiber strands through July 1, 2022. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

(Video Time 01:16:24)

SHERIFF'S OFFICE

6. Consider approval of a proclamation designating July 15-21, 2018 as National Parole and Probation Officers Week in Marion County. – Commander Jeff Wood, Troy Gregg

Summary of presentation:

- Since 1841, parole, probation, and community supervision has played a vital role within the community;
- Nationally, there are more than five million people on some form of community supervision;
- In Oregon, there are roughly 31,000 people either on probation or post-prison supervision;
- 3,200 individuals reside in Marion County;

- The premise and responsibility of corrections and community corrections is to promote positive change, which promotes public safety;
- Parole and probation officers wear several hats:
 - Mentor;
 - Role model;
 - Teacher;
 - Psychologist; and
 - Enforcement deputy.
- Marion County does Effective Practices in Community Supervision (EPICS);
- The Sheriff's Office adheres to core correctional practices, which is a similar program to EPICS;
- Programs give the deputies the ability to be positive role models, and effectively use their authority to facilitate change;
- Staff makes referrals to community-based resources;
- Marion County's reentry programs are designed to address addiction:
 - Promote positive change;
 - Skill building; and
 - Promote positive behaviors.
- SB416 Program is the probationary prison diversion program:
 - Leading the state in prison diversion.
- These programs would not be in existence without the support of the Sheriff's Office:
 - Board of Commissioners Office; and
 - Community nonprofits.
- Parole and probation division staff play a key role in delivering direct services, as well as compiling outcomes;
- Marion County has had a significant decrease in recidivism over the years:
 - Reuniting people with their families;
 - Ability to obtain employment; and
 - Becoming productive members within the community.
- The Juvenile Department's goal is working with youth as they come into the system;
- Multiple programs through the Juvenile Department:
 - Community service;
 - Hands on training to learn new skills;
 - Guaranteed Attendance Program (GAP), which works with youth struggling in the home;
 - Detention Program; and
 - Counseling.

Board discussion:

- The commissioners appreciate the work of the Parole and Probation Officers who are serving Marion County; and
- Mr. Gregg and Commander Wood do a wonderful job leading their departments.

MOTION: Commissioner Cameron moved for approval of a proclamation designating July 15-21, 2018 as National Parole and Probation Officers Week in Marion County. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

The commissioners read the proclamation.

**PUBLIC HEARINGS
9:30 A.M.**

(Video Time 01:34:46)

FINANCE

A. Public hearing to consider adopting the fourth supplemental budget for fiscal year 2017-18. –
Debbie Gregg

Summary of presentation:

- The public hearing was noticed and published on June 22, 2018 in the Statesman Journal and the Finance Department Website;
- A public copy of the budget is available at the Board of Commissioners Office and on the website;
- The supplemental budget was discussed in detail with the board during the June 18, 2018 Management Update Meeting;
- One change to the supplemental budget:
 - Increased the Sheriff's Office Grant Fund to recognize the entire Willamette Valley Community Health Grant;
 - The grant was \$83,000;
 - \$74,000 was recognized;
 - Will be able to use half of the funds for expenses for the social services contract through the end of the year; and
 - \$36,000 was recorded in unappropriated ending fund balance to be used for the next fiscal year.
- 19 funds had modifications:
 - 11 funds increased; and
 - Eight funds had offsetting changes with no known budget change.
- General Fund changes:
 - Contingency was reduced by \$247,000:
 - Clerk's Office election costs increased by \$151,000 for unscheduled elections.
 - Treasurer's Office personnel services increased by \$10,000:
 - Implementation of software training to various departments.
 - General Fund transfers of \$86,000:
 - \$20,000 to the Marion County Fair for paving projects; and

- Facility renovation for a key card system in the Juvenile Department Courtroom.
- The supplemental budget increased by \$3.9 million:
 - Environmental Services increased by \$1.8 million for their budget due to increase in tipping fees in hauler waste;
 - Health and Human Services increased just under one million dollars:
 - State revenue from Oregon Health Authority for mental health, alcoholism and drug services.
 - Non-Departmental Grants increased in recognition of the Secure Rural Schools funding.

MOTION: Commissioner Cameron moved to close the public hearing and adopt the fourth supplemental budget for fiscal year 2017-18. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

(Video Time 01:40:48)

B. Public hearing to consider adoption of the Fiscal Year 2018-19 Budget. – John Lattimer, Debbie Gregg

Summary of presentation:

- The total budget is \$445,424,664;
- There is \$101.8 million in the General Fund:
 - Is the only fund that can be spent for any legal purpose.
- The money left over, which is \$383,070,252 is distributed among 36 funds:
 - Can only be used for the purposes they are dedicated for.
- The board has requirements in the county’s financial rules and regulations requiring that there is a reserve:
 - Marion County reserves are 10.1 percent of adjusted general fund resources.
- The county’s permanent tax rate provides most of the dollars for the general fund in the amount of 3.0252 percent per \$1,000 of assessed value:
 - The permanent tax rate has been at this amount for at least 15 years.
- Added 28 FTE in the budget for a total of 1,510 employees;
- Increased cost of PERS:
 - The county spends \$24 million on PERS;
 - Providing an assessment of \$900,000 for future costs; and
 - The county believes that it will increase five percent every biennium unless changes are made.
- Health insurance is very expensive:
 - The county provides insurance for employees; and
 - The cost is \$26 million.
- 78 percent of the General Fund is spent on public safety, including the Sheriff’s Office, Juvenile Department, and the District Attorney’s Office;
- Budgeted the \$10 fee in the East Salem Service District to provide 10 additional deputies:
 - Population outside Salem city limits in east Salem is as big as the City of Keizer.
- Adding a deputy for forest patrol in the canyon;
- Public Works will be stabilizing 15 miles of gravel roads:

- Chip sealing 94.3 miles of roads:
 - 18.3 miles under the Federal Land Access Program.
- 25 miles of road resurfacing.
- Capital Improvement Projects:
 - Will be building a new Juvenile Administration Building;
 - Finish the Sheriff's Office Public Safety Building;
 - One million dollars budgeted for transitional housing;
 - Multi-year facility renovations; and
 - Information Technology equipment and systems.
- Debt services of \$6.2 million;
- The budget process begins in December with the establishment of the budget parameters:
 - Request that capital budgets are due in January;
 - The departments present their budget to the budget officer and team in March;
 - The budget officer develops the budget along with the budget message, and presents it at the budget committee meeting on June 5th;
 - The budget committee approved the taxes and the budget on June 7, 2018;
 - The public hearing was noticed on June 14, 2018 and has been available for public review in the Board of Commissioners Office and on the county website; and
 - The budget is adopted by fund.
- Mr. Lattimer appreciates the budget team and their hard work in developing the 2018-19 budget.

Board discussion:

- The commissioners appreciate the hard work of the staff helping with putting together the budget.


MOTION: Commissioner Cameron moved to close the public hearing and adopt Fiscal Year 2018-19 Budget. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

Commissioner Carlson read the calendar.

Commissioner Carlson adjourned the meeting at 11:08 a.m.



 CHAIR



 COMMISSIONER

Not Present At Meeting

 COMMISSIONER

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

