

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, June 24, 2015  
9:00 a.m.

Senator Hearing Room  
555 Court Street NE  
Salem, OR 97301

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

ABSENT: Commissioner Janet Carlson

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

**PUBLIC COMMENT**

None.

**CONSENT**

*Video Time (00:01:27)*

BOARD OF COMMISSIONERS

Approve a contract with CFM Strategic Communications, Inc., to provide federal lobbying services for Marion County’s legislative program, federal grants and long-term economic development strategies for the North Santiam Canyon, not to exceed \$503,093.70 for five years.

COMMUNITY SERVICES

Approve a Contract for Services with the Oregon State Fairgrounds in the amount of \$160,000 for the annual Marion County Fair through July 30, 2018.

DISTRICT ATTORNEY

Approve an intergovernmental agreement with the State of Oregon Department of Justice in the amount of \$4,200,000 for the Child Support Services program.

HEALTH

Approve amendment #3 with Public Partnerships, LLC to provide fiscal intermediary services and to extend the term until June 30, 2016, adding an additional \$300,000.

Approve amendment #1 with Mid-Valley Behavioral Health Care Network for the Health Department to provide rental assistance and supportive housing services, adding an additional \$169,597.

Approve an order reappointing Sierra Nelson and Mike Mann to the Health Advisory Board for terms ending February 1, 2019.

## JUVENILE

Approve the Contract for Services with North Valley Medical Staffing, Inc., in the amount of \$750,000 to provide nursing services for youth through June 30, 2018.

Approve amendment #2 to the intergovernmental agreement with the State of Oregon, adding an additional \$413,822 to provide funding for juvenile programming through June 30, 2017.

## SHERIFF'S OFFICE

Approve amendment #4 to the intergovernmental agreement with the City of Sublimity, adding an additional \$157,932 to provide patrol services through June 30, 2016.

Approve amendment #4 to the intergovernmental agreement with the City of Jefferson, adding an additional \$315,416 to provide patrol services through June 30, 2016.

Approve amendment #3 to the intergovernmental agreement with the City of Aurora, adding an additional \$164,292 to provide patrol services through June 30, 2016.

## TREASURER

Approve a resolution authorizing a change fund in the amount of \$60.00 for the Stayton Clinic office of the Health Department.

Approve a resolution authorizing a change fund in the amount of \$300.00 for the Dog Services division of Community Services.

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

## **ACTION**

*Video Time (00:04:14)*

### COMMUNITY SERVICES

1. Consider approval of an order to award Oregon Video Lottery Funds to board designated grantees. – Sarah Cavazos

#### ***Summary of presentation:***

- Requested approval of an order designating funds for grantees;
- Purpose to support Economic Development in Marion County;
- Types of grants:
  - Provide funding to local business to fund private sector jobs; and
  - Community projects supporting projects that improve livability.
- Board designated allocations:
  - Since 2008-2009 fiscal year; and
  - Support entities in Marion County that promote private sector agriculture and tourism or small business development.
- Three entities recommended to continue to fund:

- TravelSalem, \$100,000:
  - Tourism promoter for Salem and Marion and Polk counties.
- SEDCOR, \$175,000:
  - Provider that supports manufacturing, tourism and agricultural industry;
  - Works to recruit, retain, and grow industries; and
  - Promote livable wage jobs throughout communities.
- GROW North Santiam, \$60,000:
  - Funded since 2009-2010 fiscal year; and
  - Work with small business and entrepreneurs in the North Santiam canyon region.
- Will monitor outcomes, outputs, and how these investments impact the economy in the county.

**MOTION:** Commissioner Brentano moved approval of an order to award Oregon Video Lottery Funds to board designated grantees. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

#### FINANCE

2. Consider approval of an order writing off an uncollectible accounts receivable balance of \$4,124.85 for Michaels Chadwick. – Jeff White

#### ***Summary of presentation:***

- Marion County's practice and policy to pursue collections on accounts receivable for as long as possible;
- When all avenues have been exhausted a request is submitted to board to write off;
- Invoice brought before you is in the amount of \$4,124.85;
- Current invoice has been outstanding since December 2006;
- Costs incurred for weed abatement on a piece of property;
- Agreement in 2009 with property owner that no further collection efforts would be made, unclear which of the multiple actions against this property owner was referenced;
- There is not sufficient documentation to keep collecting on this account; and
- Public Works requests write-off.

#### ***Board discussion:***

- Board hopes the documentation problems are not a common issue; and
- Six years old and might not collect it anyway.

**MOTION:** Commissioner Brentano moved approval of an order writing off an uncollectible accounts receivable balance of \$4,124.85 for Michaels Chadwick. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

3. Consider approval of an order writing off an uncollectible accounts receivable balance of \$50,000 for NC Ventures. – Jeff White

***Summary of presentation:***

- In 2010, a cable franchise was transferred from Country Cable to Wave Broadband;
- Country Cable was delinquent in the payment of franchise fees at the time of the transfer;
- Wave Broadband was not responsible for the \$50,000;
- Tentative settlement that was never executed with NC Ventures; and
- With no written agreement for NC Ventures to pay Marion County, and statute of limitations for enforcing an oral agreement having expired, Public Works is requesting to write-off the outstanding balance as uncollectable and unenforceable.

***Board discussion:***

- Wave Broadband has been very good about paying their franchise fees as the new provider.

**MOTION:** Commissioner Brentano moved approval of an order writing off and uncollectible accounts receivable balance of \$50,000 for NC Ventures. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

4. Consider approval of three new policies on the administration of federal awards. – Jeff White, Debbie Gregg

***Summary of presentation:***

- Federal government issued new federal guidelines concerning grant awards in December 2014;
- Finance drafted three new policies to comply with those guidelines:
  - General administration and definitions of federal awards;
  - Allowable costs; and
  - Sub-recipient monitoring.
- Legal review of conflict of interest policy; and
- Procedures to accompany policies.

**MOTION:** Commissioner Brentano moved approval of three new policies on the administration of federal awards. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

5. Consider approval of a resolution to adopt the fourth supplemental budget for fiscal year 2014-15. **(TO BE ACTED ON FOLLOWING PUBLIC HEARING)**. – Jeff White, Richard Minaker

**HEALTH**

6. Consider approval of a lease agreement with Mission Investment Property, LLC for temporary relocation of the Public Health Department personnel during the Health Services Building renovation through October 31, 2016 for \$358,786.40. – Roy Deede

***Summary of presentation:***

- Leases are part of Health Services building Renovation Plan;
- Allows employees to move so renovations can be done:
  - Windows;
  - Heating, ventilation and air conditioning (HVAC) system;
  - Lighting; and
  - Tennant improvements.
- Advantage from this lease prior tenant left clinic exam rooms;
- Will not require a lot of tenant improvements;
- Located at 17<sup>th</sup> Street and Mission Street;
- Challenge negotiating a short-term lease;
- Lease is for 16 months;
- Payments begin in September;
- Expected timeframe of move is in September;
- Plan is to keep services open during transition;
- Communications team developing fliers, providing reminders and reaching out to clients; and
- Current plan is for entire building to move within one week.

**MOTION:** Commissioner Brentano moved approval of a lease agreement with Mission Investment Property, LLC for temporary relocation of the Public Health Department personnel during the Health Services Building renovation through October 31, 2016 for \$358,786.40. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

7. Consider approval of a lease agreement with McNary Square Partners for temporary relocation of the Adult Behavioral, Administrative Health, and Environmental Health Department personnel during the Health Services Building renovation through October 31, 2016 for \$335,000. – Roy Deede

***Summary of presentation:***

- Unable to find a building as large as Center street to house all employees;
- Best solution available;
- This facility is located on Front Street and will house adult behavioral, administrative health and environmental health; and
- Plan to move in September after some tenant improvements.

**MOTION:** Commissioner Brentano moved approval of a lease agreement with McNary Square Partners for temporary relocation of the Adult Behavioral, Administrative Health, and Environmental Health Department personnel during the Health Services Building renovation through October 31, 2016 for \$335,000. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

8. Consider approval of the intergovernmental agreement with Oregon Health Authority to administer the Foodborne Illness Prevention Program through June 30, 2017, for \$100,294.  
– Rick Sherman

***Summary of presentation:***

- Marion County Environmental health agreement with Oregon Health Authority to operate the food borne illness and food program;
- Pay 13 percent of license fees go to the State, approximately \$50,000 per year; and
- State provides technical support, rule books, etc...

**MOTION:** Commissioner Brentano moved approval of the intergovernmental agreement with Oregon Health Authority to administer the Foodborne Illness Prevention Program through June 30, 2017, for \$100,294. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

**PUBLIC WORKS**

9. Consider approval of a Public Improvement Contract for \$1,384,866.80 with Knife River Corporation for resurfacing various county roads through August 31, 2016. – Alan Haley

***Summary of presentation:***

- Second package for the year for resurfacing;
- Received two other bids;
- Price up a little due to segments in an urban setting;

***Board discussion:***

- Resurfaces approximately seven miles; and
- Transportation funding bill very important to fund necessary maintenance of roads.

**MOTION:** Commissioner Brentano moved approval of a Public Improvement Contract for \$1,384,866.80 with Knife River Corporation for resurfacing various county roads through August 31, 2016. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

10. Consider approval of a Public Improvement Contract for \$104,956.32 with Blackline Inc. for applying Type II slurry seal on county roads through September 4, 2016. – Alan Haley

***Summary of presentation:***

- Annual slurry seal contract;
- One bid received from Blackline;
- Put seal coat down on mostly urban roads;
- All but one section of this contract is inside the Urban Growth Boundary (UGB) covering northeast and southeast Salem area; and
- Annual event at roughly \$100,000 each year.

**Board discussion:**

- Usually one other bidder who didn't bid this year.

**MOTION:** Commissioner Brentano moved approval of a Public Improvement Contract for \$104,956.32 with Blackline Inc. for applying Type II slurry seal on county roads through September 4, 2016. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

11. Receive and consider appeal of hearings officer's decision, case #AR15-003, SAD, LLC, Clerk's File #5695. – Joe Fennimore

**Summary of presentation:**

- Request to place a dwelling on a 9.67 acre parcel in a Farm Timber zone;
- Planning director issued a decision on March 4, 2015, denying the request;
- Decision was appealed to the hearings officer who conducted a public hearing on March 31 and issued a decision on May 18 denying the request;
- On June 2nd the hearings officer's decision was appealed to the Board;
- Under findings seven and nine, the hearings officer discusses the ownership of SAD, LLC, and was unable to conclude that Penny Wilson had the authority to sign and file the application on behalf of the LLC and the hearings officer concludes that proof of her authority to act is required in order to review the application;
- Hearings officer discusses the criterion that requires the property to have been acquired and continuously owned by the present owner since prior to January 1, 1985 in finding 13 and status of the LLC needs to provided;
- The game habitat policy that limits development density is not satisfied as discussed in finding 19;
- Board has examined several big game habitat cases on an individual basis, this property had a proposed forest dwelling in 1998 which the Board found no unique circumstances to use an alternative method to calculate density; and
- No new information was submitted at the time of the appeal, applicant asks for the opportunity to do so at a hearing.

**Board discussion:**

- In favor of having a public hearing with new information;
- Will have to show clear ownership; and
- Is up to the applicant to bring new information forward for the Board to consider.

**MOTION:** Commissioner Brentano moved to receive the appeal and schedule a public hearing for July 15, 2015. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

**CONTRACT REVIEW BOARD**

1. Consider approval of a board order granting a Class Special Procurement Exemption to award multiple contracts for drug and alcohol prevention services. – Camber Schlag, Peter Davis

***Summary of presentation:***

- Five Oregon Together groups based on the communities of care model:
  - Work on prevention services for drug and alcohol; and
  - Located in Salem, Stayton, Jefferson, Woodburn and Silverton.
- Contracting with the five groups for 24 years;
- Go through specialized prevention services training to carry out program;
- Contract Review Board must authorize the use of a Class Special Procurement to award multiple contracts by an alternative method pursuant to ORS 279B.085;
- Issued a public notice for a special procurement on June 16 which closed on June 23 with no comments;
- Contracting with multiple providers will not encourage favoritism, or substantially diminish competition and will result in substantial time and cost savings;
- Justified and consistent with Marion County Public Contracting Rules.

**MOTION:** Commissioner Brentano moved approval of a board order granting A Class Special Procurement Exemption to award multiple contracts for drug and alcohol prevention services. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

**PUBLIC HEARINGS**

**9:30 A.M.**

*Video Time (01:02:07)*

**FINANCE**

A. Public hearing to consider a resolution adopting the fourth supplemental budget for fiscal year 2014-15. **(TO BE ACTED ON FOLLOWING PUBLIC HEARING)**. – Jeff White, Richard Minaker

***Summary of presentation:*** (Attachment A – Budget Report)

- Public notice of this budget was published in the Statesman Journal newspaper in accordance with statutory requirements;
- Details of fourth supplemental budget reviewed with Board at Management Update on June 15;
- Increases the total budget by \$4.8 million to \$378.4 million;
- General fund budget increase \$532,000, which is a net of small changes in two departments and larger changes in the non-departmental fund;
- General fund non-departmental has an intergovernmental federal revenue increase of \$404,000 as a result of unanticipated Secure Rural Schools Title I forestry revenue, allocated to ending fund balance;
- Contingency is reduced \$34,000;
- \$178,000 is allocated to transfers out:
  - County Fair Fund, \$80,000;
  - Sheriff's Grant Fund, \$5,000; and
  - Capital Improvements Project fund, \$103,000.
- Capital Improvements Projects Fund budget will increase \$352,000 with increased resources and allocations including:



- Charges for services for Employer at Injury Program (EAIP) \$140,000:
  - Health building elevator upgrade at \$129,000; and
  - Ergonomic upgrades for the Health Methadone Clinic.
- General fund transfers of \$102,000:
  - Information Technology purchase of software at \$74,000;
  - Tractor for Juvenile at \$20,000; and
  - Remodel of Victim Assistance waiting room at courthouse at \$6,000.
- Other fund transfers of \$110,000:
  - Transfer from Traffic Safety Team Fund for Channel 3 repeater, \$4,000; and
  - Courthouse Square Redevelopment Fund, \$106,000 to ending fund balance.
- County Fair Fund budget increase \$111,000:
  - Charges for Services, Interest and Other Revenues increase \$31,000 reflecting revised estimates of revenue from fair activities;
  - General Fund transfer of \$80,000 allocated to Materials and Services for fairgrounds paving:
    - County fair will be provided a multiple year discount on rent in exchange for the paving.
  - Contracted services increase of \$84,000 for consulting services, fair entertainers, advertising, fair events and activities; and
  - Contingency is reduced \$18,000 to cover expenditure increases.
- Criminal Justice Assessment Fund budget increase \$115,000 for revised revenue estimate:
  - Contingency decrease of \$269,000 as revenue allocated to be distributed to county departments; and
  - Allows \$363,000 transfers out to:
    - Sheriff's Office general fund jail operations;
    - Community Corrections fund parole and probation activities; and
    - Juvenile Department grants fund for Juvenile accountability Risk Reduction activities.
- Health fund budget increase \$1,689,000:
  - Revenue increase in four categories:
    - Intergovernmental Local from Mid-Valley Behavioral Care Network, \$929,000;
    - Personnel services allocated \$46,000 for additional staff;
    - Materials and services increase \$452,000 for pass-through funding for Developmental Disabilities program activities;
    - Capital outlay increase \$180,000 for renovations at Beverly Avenue leased facility; and;
    - Contingency and ending fund balance are allocated \$1,011,000 in total.
- Juvenile grants fund budget will increase \$259,000 to record additional revenue and a \$128,000 transfer from the Criminal Justice Assessment Fund;
  - Materials and Services, Contracted Services increased \$115,00 for Youth Villages services and Pay for Success services; and
  - Remaining \$144,000 allocated to contingency.

- Lottery and Economic Development fund budget will increase \$50,000 based on state revenue and estimates for interest and settlement revenues:
  - Contingency reduced \$40,000; and
  - Resulting \$90,000 budget in Materials and Services, Contracted Services for Community Project Grant Awards.
- Non-Departmental Grants fund budget will increase \$289,000:
  - Secure Rural Schools Title II national forest and O&C Lands forestry funds of \$163,000 will be distributed to Resource Advisory Committees who recommend use of the funds for special projects for the protection, restoration, and enhancement of fish and wildlife habitats and other resource objectives on federal land; and
  - Additional \$126,000 Secure Rural Schools Title III funds which will carry forward for Sheriff's Office search and rescue services in future years.
- Public Works fund budget will increase \$842,000 with receipt of intergovernmental federal revenue for additional Secure Rural Schools Title I fund which will carry forward for road projects next fiscal year;
- Self-Insurance fund budget will increase \$66,000 from an increase in estimated EAIP reimbursements:
  - Materials and Services for EAIP safety incentive projects;
  - EAIP reimbursement to the Capital Improvements Projects fund budgeted in a safety incentive projects account; and
  - Contingency is reduced by \$600,000 and reallocated to Insurance Liability Claims to cover current claims.

***Board discussion:***

- Important to do these supplemental budgets so the public knows how the budget changes.

**MOTION:** Commissioner Brentano moved to close the public hearing and approve a resolution adopting the fourth supplemental budget for fiscal year 2014-15 and request appropriation authority. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

**PUBLIC WORKS**

B. Public hearing to consider mass gathering permit, case MG 15-001, Whitewind Productions, LLC, Clerk's File 5697. – Brandon Reich

***Summary of presentation:***

- Application of Whitewind Productions, LLC, for a small mass gathering permit on exclusive farm use zoned property in the 6100 and 6200 block of Mount Angel Highway NE;
- Properties located on the east side of highway approximately 1,000 feet north of intersection with Pine Street;
- Properties contain a total of 47 acres in four tax lots;
- A 25 acre parcel will contain walkway between the parking area and event area;
- Surrounding properties consist of various sized parcels zoned exclusive farm use and acreage residential;

- Applicant is requesting to conduct the Canterbury Renaissance Faire as a mass gathering event;
- Sound amplification at noon and 4p.m. each day will be used and alcohol will be available;
- Event to place on consecutive weekends in July, the 18<sup>th</sup> and 19<sup>th</sup> and the 25<sup>th</sup> and 26<sup>th</sup>
- Estimated attendance is 800-1,000 people per day;
- Proposed event meets the definition of a small gathering;
- All coordinating Marion County agencies responded no issues with previous events and conditions carried forward; and
- Open from 10:00 a.m. to 6:00 p.m.

***Board discussion:***

- Seventh annual event;
- Recommended conditions of approval remain the same as previous years; and
- Sound amplification within county ordinance.

**TESTIMONY:**

***Support:***

Nancy White, Faire Promoter:

- Offering historical living village set in the 1500s;
- Period demonstrations, merchant vendors, and food available;
- Vendor provides ale yard;
- Dress in period garb;
- Gathering is growing yearly; and
- Growing out of current site.

**MOTION:** Commissioner Brentano moved to close the public hearing and approve the mass gathering permit with the conditions defined. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

C. Public hearing to consider the City of Mill City Comprehensive Plan Amendments. –  
Brandon Reich

***Summary of presentation:***

- City of Mill City developed amendments to its comprehensive plan;
- Submitted amendments to county for its consideration and concurrence in the adoption of the plan;
- Board of Commissioners approve Resolution 15R-20 initiating the county's review of the amendments and scheduled a public hearing for today on May 6, 2015;
- Mill City used a method which takes the split between Linn and Marion Counties into consideration for their 2013 population forecast;
- Future population in 2035 estimated at 2,461;
- Mill City is not proposing to expand Urban Growth Boundary (UGB) at this time;
- Enough land within UGB to accommodate 20 years of residential and employment growth;
- City is asking the County to concur in two additions to the UGB that took place in 2005:

- Runyon property 0.68 acres added in 2005 to provide sewer; and
- City's north water storage reservoir 2.4 acre annexed in 2005.
- City able to provide adequate residential; commercial and industrial lands to meet needs for the next 20 years;
- Identified unique economic goals based on resources and desire for the future; and
- Current population is 1,855.

**TESTIMONY:**

*Support:*

David Kinney, Community Development Consultant, City of Mill City

- Appreciation to Brandon for coordination on the plan update:
  - Worked with the city on population forecast;
  - Resolving UGB amendments.
- Plan update is the first major update since 1980;
- First part of a two part process;
- Planning Commission has worked on plan update for approximately a year;
- Includes a revision to the local lands inventory, population forecast, natural resources, demographics, and the economy; and
- Appreciate the Board cooperation on canyon economic development efforts.

**Board discussion:**

- Infrastructure to handle this growth:
  - Public facilities chapter has yet to be updated;
  - Water system update in 2005;
  - Sanitary sewer system constructed in 1994 under United States Department of Agriculture (USDA) grant and updated in 2010, some capacity limitations; and
  - Will need waste water facilities plan in the next five to 10 years.

**MOTION:** Commissioner Brentano moved to close the public hearing and concur in the city's amendment and direct staff to prepare an ordinance that approves the amendments to the Marion County Comprehensive Plan by adopting the amendments to the City of Mill City Comprehensive Plan. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

- Discussion regarding the drought and asked County Counsel the procedures:
  - Emergency declarations for drought conditions gives the state authority to reallocate water;
  - Unlike other emergencies, cannot bring resources and infrastructure to create more water;
  - Depends upon the nature of the emergency;
  - Make sure municipal, industrial and economic priorities receive water;
  - May be declared by region; and
  - Salem Municipal water supply should be okay.

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, June 24, 2015  
9:00 a.m.

Senator Hearing Room  
555 Court Street NE  
Salem, OR 97301

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

ABSENT: Commissioner Janet Carlson

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

**PUBLIC COMMENT**

None.

**CONSENT**

*Video Time (00:01:27)*

BOARD OF COMMISSIONERS

Approve a contract with CFM Strategic Communications, Inc., to provide federal lobbying services for Marion County's legislative program, federal grants and long-term economic development strategies for the North Santiam Canyon, not to exceed \$503,093.70 for five years.

COMMUNITY SERVICES

Approve a Contract for Services with the Oregon State Fairgrounds in the amount of \$160,000 for the annual Marion County Fair through July 30, 2018.

DISTRICT ATTORNEY

Approve an intergovernmental agreement with the State of Oregon Department of Justice in the amount of \$4,200,000 for the Child Support Services program.

HEALTH

Approve amendment #3 with Public Partnerships, LLC to provide fiscal intermediary services and to extend the term until June 30, 2016, adding an additional \$300,000.

Approve amendment #1 with Mid-Valley Behavioral Health Care Network for the Health Department to provide rental assistance and supportive housing services, adding an additional \$169,597.

Approve an order reappointing Sierra Nelson and Mike Mann to the Health Advisory Board for terms ending February 1, 2019.

## JUVENILE

Approve the Contract for Services with North Valley Medical Staffing, Inc., in the amount of \$750,000 to provide nursing services for youth through June 30, 2018.

Approve amendment #2 to the intergovernmental agreement with the State of Oregon, adding an additional \$413,822 to provide funding for juvenile programming through June 30, 2017.

## SHERIFF'S OFFICE

Approve amendment #4 to the intergovernmental agreement with the City of Sublimity, adding an additional \$157,932 to provide patrol services through June 30, 2016.

Approve amendment #4 to the intergovernmental agreement with the City of Jefferson, adding an additional \$315,416 to provide patrol services through June 30, 2016.

Approve amendment #3 to the intergovernmental agreement with the City of Aurora, adding an additional \$164,292 to provide patrol services through June 30, 2016.

## TREASURER

Approve a resolution authorizing a change fund in the amount of \$60.00 for the Stayton Clinic office of the Health Department.

Approve a resolution authorizing a change fund in the amount of \$300.00 for the Dog Services division of Community Services.

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

## **ACTION**

*Video Time (00:04:14)*

### COMMUNITY SERVICES

1. Consider approval of an order to award Oregon Video Lottery Funds to board designated grantees. – Sarah Cavazos

#### ***Summary of presentation:***

- Requested approval of an order designating funds for grantees;
- Purpose to support Economic Development in Marion County;
- Types of grants:
  - Provide funding to local business to fund private sector jobs; and
  - Community projects supporting projects that improve livability.
- Board designated allocations:
  - Since 2008-2009 fiscal year; and
  - Support entities in Marion County that promote private sector agriculture and tourism or small business development.
- Three entities recommended to continue to fund:

- TravelSalem, \$100,000:
  - Tourism promoter for Salem and Marion and Polk counties.
- SEDCOR, \$175,000:
  - Provider that supports manufacturing, tourism and agricultural industry;
  - Works to recruit, retain, and grow industries; and
  - Promote livable wage jobs throughout communities.
- GROW North Santiam, \$60,000:
  - Funded since 2009-2010 fiscal year; and
  - Work with small business and entrepreneurs in the North Santiam canyon region.
- Will monitor outcomes, outputs, and how these investments impact the economy in the county.

**MOTION:** Commissioner Brentano moved approval of an order to award Oregon Video Lottery Funds to board designated grantees. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

#### FINANCE

2. Consider approval of an order writing off an uncollectible accounts receivable balance of \$4,124.85 for Michaels Chadwick. – Jeff White

##### ***Summary of presentation:***

- Marion County's practice and policy to pursue collections on accounts receivable for as long as possible;
- When all avenues have been exhausted a request is submitted to board to write off;
- Invoice brought before you is in the amount of \$4,124.85;
- Current invoice has been outstanding since December 2006;
- Costs incurred for weed abatement on a piece of property;
- Agreement in 2009 with property owner that no further collection efforts would be made, unclear which of the multiple actions against this property owner was referenced;
- There is not sufficient documentation to keep collecting on this account; and
- Public Works requests write-off.

##### ***Board discussion:***

- Board hopes the documentation problems are not a common issue; and
- Six years old and might not collect it anyway.

**MOTION:** Commissioner Brentano moved approval of an order writing off an uncollectible accounts receivable balance of \$4,124.85 for Michaels Chadwick. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

3. Consider approval of an order writing off an uncollectible accounts receivable balance of \$50,000 for NC Ventures. – Jeff White

***Summary of presentation:***

- In 2010, a cable franchise was transferred from Country Cable to Wave Broadband;
- Country Cable was delinquent in the payment of franchise fees at the time of the transfer;
- Wave Broadband was not responsible for the \$50,000;
- Tentative settlement that was never executed with NC Ventures; and
- With no written agreement for NC Ventures to pay Marion County, and statute of limitations for enforcing an oral agreement having expired, Public Works is requesting to write-off the outstanding balance as uncollectable and unenforceable.

***Board discussion:***

- Wave Broadband has been very good about paying their franchise fees as the new provider.

**MOTION:** Commissioner Brentano moved approval of an order writing off and uncollectible accounts receivable balance of \$50,000 for NC Ventures. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

4. Consider approval of three new policies on the administration of federal awards. – Jeff White, Debbie Gregg

***Summary of presentation:***

- Federal government issued new federal guidelines concerning grant awards in December 2014;
- Finance drafted three new policies to comply with those guidelines:
  - General administration and definitions of federal awards;
  - Allowable costs; and
  - Sub-recipient monitoring.
- Legal review of conflict of interest policy; and
- Procedures to accompany policies.

**MOTION:** Commissioner Brentano moved approval of three new policies on the administration of federal awards. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

5. Consider approval of a resolution to adopt the fourth supplemental budget for fiscal year 2014-15. **(TO BE ACTED ON FOLLOWING PUBLIC HEARING)**. – Jeff White, Richard Minaker

**HEALTH**

6. Consider approval of a lease agreement with Mission Investment Property, LLC for temporary relocation of the Public Health Department personnel during the Health Services Building renovation through October 31, 2016 for \$358,786.40. – Roy Deede



***Summary of presentation:***

- Leases are part of Health Services building Renovation Plan;
- Allows employees to move so renovations can be done:
  - Windows;
  - Heating, ventilation and air conditioning (HVAC) system;
  - Lighting; and
  - Tenant improvements.
- Advantage from this lease prior tenant left clinic exam rooms;
- Will not require a lot of tenant improvements;
- Located at 17<sup>th</sup> Street and Mission Street;
- Challenge negotiating a short-term lease;
- Lease is for 16 months;
- Payments begin in September;
- Expected timeframe of move is in September;
- Plan is to keep services open during transition;
- Communications team developing fliers, providing reminders and reaching out to clients; and
- Current plan is for entire building to move within one week.

**MOTION:** Commissioner Brentano moved approval of a lease agreement with Mission Investment Property, LLC for temporary relocation of the Public Health Department personnel during the Health Services Building renovation through October 31, 2016 for \$358,786.40. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

7. Consider approval of a lease agreement with McNary Square Partners for temporary relocation of the Adult Behavioral, Administrative Health, and Environmental Health Department personnel during the Health Services Building renovation through October 31, 2016 for \$335,000. – Roy Deede

***Summary of presentation:***

- Unable to find a building as large as Center street to house all employees;
- Best solution available;
- This facility is located on Front Street and will house adult behavioral, administrative health and environmental health; and
- Plan to move in September after some tenant improvements.

**MOTION:** Commissioner Brentano moved approval of a lease agreement with McNary Square Partners for temporary relocation of the Adult Behavioral, Administrative Health, and Environmental Health Department personnel during the Health Services Building renovation through October 31, 2016 for \$335,000. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

8. Consider approval of the intergovernmental agreement with Oregon Health Authority to administer the Foodborne Illness Prevention Program through June 30, 2017, for \$100,294.  
– Rick Sherman

***Summary of presentation:***

- Marion County Environmental health agreement with Oregon Health Authority to operate the food borne illness and food program;
- Pay 13 percent of license fees go to the State, approximately \$50,000 per year; and
- State provides technical support, rule books, etc...

**MOTION:** Commissioner Brentano moved approval of the intergovernmental agreement with Oregon Health Authority to administer the Foodborne Illness Prevention Program through June 30, 2017, for \$100,294. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

**PUBLIC WORKS**

9. Consider approval of a Public Improvement Contract for \$1,384,866.80 with Knife River Corporation for resurfacing various county roads through August 31, 2016. – Alan Haley

***Summary of presentation:***

- Second package for the year for resurfacing;
- Received two other bids;
- Price up a little due to segments in an urban setting;

***Board discussion:***

- Resurfaces approximately seven miles; and
- Transportation funding bill very important to fund necessary maintenance of roads.

**MOTION:** Commissioner Brentano moved approval of a Public Improvement Contract for \$1,384,866.80 with Knife River Corporation for resurfacing various county roads through August 31, 2016. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

10. Consider approval of a Public Improvement Contract for \$104,956.32 with Blackline Inc. for applying Type II slurry seal on county roads through September 4, 2016. – Alan Haley

***Summary of presentation:***

- Annual slurry seal contract;
- One bid received from Blackline;
- Put seal coat down on mostly urban roads;
- All but one section of this contract is inside the Urban Growth Boundary (UGB) covering northeast and southeast Salem area; and
- Annual event at roughly \$100,000 each year.

**Board discussion:**

- Usually one other bidder who didn't bid this year.

**MOTION:** Commissioner Brentano moved approval of a Public Improvement Contract for \$104,956.32 with Blackline Inc. for applying Type II slurry seal on county roads through September 4, 2016. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

11. Receive and consider appeal of hearings officer's decision, case #AR15-003, SAD, LLC, Clerk's File #5695. – Joe Fennimore

**Summary of presentation:**

- Request to place a dwelling on a 9.67 acre parcel in a Farm Timber zone;
- Planning director issued a decision on March 4, 2015, denying the request;
- Decision was appealed to the hearings officer who conducted a public hearing on March 31 and issued a decision on May 18 denying the request;
- On June 2nd the hearings officer's decision was appealed to the Board;
- Under findings seven and nine, the hearings officer discusses the ownership of SAD, LLC, and was unable to conclude that Penny Wilson had the authority to sign and file the application on behalf of the LLC and the hearings officer concludes that proof of her authority to act is required in order to review the application;
- Hearings officer discusses the criterion that requires the property to have been acquired and continuously owned by the present owner since prior to January 1, 1985 in finding 13 and status of the LLC needs to provided;
- The game habitat policy that limits development density is not satisfied as discussed in finding 19;
- Board has examined several big game habitat cases on an individual basis, this property had a proposed forest dwelling in 1998 which the Board found no unique circumstances to use an alternative method to calculate density; and
- No new information was submitted at the time of the appeal, applicant asks for the opportunity to do so at a hearing.

**Board discussion:**

- In favor of having a public hearing with new information;
- Will have to show clear ownership; and
- Is up to the applicant to bring new information forward for the Board to consider.

**MOTION:** Commissioner Brentano moved to receive the appeal and schedule a public hearing for July 15, 2015. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

**CONTRACT REVIEW BOARD**

1. Consider approval of a board order granting a Class Special Procurement Exemption to award multiple contracts for drug and alcohol prevention services. – Camber Schlag, Peter Davis

***Summary of presentation:***

- Five Oregon Together groups based on the communities of care model:
  - Work on prevention services for drug and alcohol; and
  - Located in Salem, Stayton, Jefferson, Woodburn and Silverton.
- Contracting with the five groups for 24 years;
- Go through specialized prevention services training to carry out program;
- Contract Review Board must authorize the use of a Class Special Procurement to award multiple contracts by an alternative method pursuant to ORS 279B.085;
- Issued a public notice for a special procurement on June 16 which closed on June 23 with no comments;
- Contracting with multiple providers will not encourage favoritism, or substantially diminish competition and will result in substantial time and cost savings;
- Justified and consistent with Marion County Public Contracting Rules.

**MOTION:** Commissioner Brentano moved approval of a board order granting A Class Special Procurement Exemption to award multiple contracts for drug and alcohol prevention services. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

**PUBLIC HEARINGS**

**9:30 A.M.**

*Video Time (01:02:07)*

**FINANCE**

A. Public hearing to consider a resolution adopting the fourth supplemental budget for fiscal year 2014-15. **(TO BE ACTED ON FOLLOWING PUBLIC HEARING)**. – Jeff White, Richard Minaker

***Summary of presentation:*** (Attachment A – Budget Report)

- Public notice of this budget was published in the Statesman Journal newspaper in accordance with statutory requirements;
- Details of fourth supplemental budget reviewed with Board at Management Update on June 15;
- Increases the total budget by \$4.8 million to \$378.4 million;
- General fund budget increase \$532,000, which is a net of small changes in two departments and larger changes in the non-departmental fund;
- General fund non-departmental has an intergovernmental federal revenue increase of \$404,000 as a result of unanticipated Secure Rural Schools Title I forestry revenue, allocated to ending fund balance;
- Contingency is reduced \$34,000;
- \$178,000 is allocated to transfers out:
  - County Fair Fund, \$80,000;
  - Sheriff's Grant Fund, \$5,000; and
  - Capital Improvements Project fund, \$103,000.
- Capital Improvements Projects Fund budget will increase \$352,000 with increased resources and allocations including:

- Charges for services for Employer at Injury Program (EAIP) \$140,000:
  - Health building elevator upgrade at \$129,000; and
  - Ergonomic upgrades for the Health Methadone Clinic.
- General fund transfers of \$102,000:
  - Information Technology purchase of software at \$74,000;
  - Tractor for Juvenile at \$20,000; and
  - Remodel of Victim Assistance waiting room at courthouse at \$6,000.
- Other fund transfers of \$110,000:
  - Transfer from Traffic Safety Team Fund for Channel 3 repeater, \$4,000; and
  - Courthouse Square Redevelopment Fund, \$106,000 to ending fund balance.
- County Fair Fund budget increase \$111,000:
  - Charges for Services, Interest and Other Revenues increase \$31,000 reflecting revised estimates of revenue from fair activities;
  - General Fund transfer of \$80,000 allocated to Materials and Services for fairgrounds paving:
    - County fair will be provided a multiple year discount on rent in exchange for the paving.
  - Contracted services increase of \$84,000 for consulting services, fair entertainers, advertising, fair events and activities; and
  - Contingency is reduced \$18,000 to cover expenditure increases.
- Criminal Justice Assessment Fund budget increase \$115,000 for revised revenue estimate:
  - Contingency decrease of \$269,000 as revenue allocated to be distributed to county departments; and
  - Allows \$363,000 transfers out to:
    - Sheriff's Office general fund jail operations;
    - Community Corrections fund parole and probation activities; and
    - Juvenile Department grants fund for Juvenile accountability Risk Reduction activities.
- Health fund budget increase \$1,689,000:
  - Revenue increase in four categories:
    - Intergovernmental Local from Mid-Valley Behavioral Care Network, \$929,000;
    - Personnel services allocated \$46,000 for additional staff;
    - Materials and services increase \$452,000 for pass-through funding for Developmental Disabilities program activities;
    - Capital outlay increase \$180,000 for renovations at Beverly Avenue leased facility; and;
    - Contingency and ending fund balance are allocated \$1,011,000 in total.
- Juvenile grants fund budget will increase \$259,000 to record additional revenue and a \$128,000 transfer from the Criminal Justice Assessment Fund;
  - Materials and Services, Contracted Services increased \$115,00 for Youth Villages services and Pay for Success services; and
  - Remaining \$144,000 allocated to contingency.

- Lottery and Economic Development fund budget will increase \$50,000 based on state revenue and estimates for interest and settlement revenues:
  - Contingency reduced \$40,000; and
  - Resulting \$90,000 budget in Materials and Services, Contracted Services for Community Project Grant Awards.
- Non-Departmental Grants fund budget will increase \$289,000:
  - Secure Rural Schools Title II national forest and O&C Lands forestry funds of \$163,000 will be distributed to Resource Advisory Committees who recommend use of the funds for special projects for the protection, restoration, and enhancement of fish and wildlife habitats and other resource objectives on federal land; and
  - Additional \$126,000 Secure Rural Schools Title III funds which will carry forward for Sheriff's Office search and rescue services in future years.
- Public Works fund budget will increase \$842,000 with receipt of intergovernmental federal revenue for additional Secure Rural Schools Title I fund which will carry forward for road projects next fiscal year;
- Self-Insurance fund budget will increase \$66,000 from an increase in estimated EAIP reimbursements:
  - Materials and Services for EAIP safety incentive projects;
  - EAIP reimbursement to the Capital Improvements Projects fund budgeted in a safety incentive projects account; and
  - Contingency is reduced by \$600,000 and reallocated to Insurance Liability Claims to cover current claims.

***Board discussion:***

- Important to do these supplemental budgets so the public knows how the budget changes.

**MOTION:** Commissioner Brentano moved to close the public hearing and approve a resolution adopting the fourth supplemental budget for fiscal year 2014-15 and request appropriation authority. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

**PUBLIC WORKS**

B. Public hearing to consider mass gathering permit, case MG 15-001, Whitewind Productions, LLC, Clerk's File 5697. – Brandon Reich

***Summary of presentation:***

- Application of Whitewind Productions, LLC, for a small mass gathering permit on exclusive farm use zoned property in the 6100 and 6200 block of Mount Angel Highway NE;
- Properties located on the east side of highway approximately 1,000 feet north of intersection with Pine Street;
- Properties contain a total of 47 acres in four tax lots;
- A 25 acre parcel will contain walkway between the parking area and event area;
- Surrounding properties consist of various sized parcels zoned exclusive farm use and acreage residential;

- Applicant is requesting to conduct the Canterbury Renaissance Faire as a mass gathering event;
- Sound amplification at noon and 4p.m. each day will be used and alcohol will be available;
- Event to place on consecutive weekends in July, the 18<sup>th</sup> and 19<sup>th</sup> and the 25<sup>th</sup> and 26<sup>th</sup>
- Estimated attendance is 800-1,000 people per day;
- Proposed event meets the definition of a small gathering;
- All coordinating Marion County agencies responded no issues with previous events and conditions carried forward; and
- Open from 10:00 a.m. to 6:00 p.m.

***Board discussion:***

- Seventh annual event;
- Recommended conditions of approval remain the same as previous years; and
- Sound amplification within county ordinance.

**TESTIMONY:**

***Support:***

Nancy White, Faire Promoter:

- Offering historical living village set in the 1500s;
- Period demonstrations, merchant vendors, and food available;
- Vendor provides ale yard;
- Dress in period garb;
- Gathering is growing yearly; and
- Growing out of current site.

**MOTION:** Commissioner Brentano moved to close the public hearing and approve the mass gathering permit with the conditions defined. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

C. Public hearing to consider the City of Mill City Comprehensive Plan Amendments. –  
Brandon Reich

***Summary of presentation:***

- City of Mill City developed amendments to its comprehensive plan;
- Submitted amendments to county for its consideration and concurrence in the adoption of the plan;
- Board of Commissioners approve Resolution 15R-20 initiating the county's review of the amendments and scheduled a public hearing for today on May 6, 2015;
- Mill City used a method which takes the split between Linn and Marion Counties into consideration for their 2013 population forecast;
- Future population in 2035 estimated at 2,461;
- Mill City is not proposing to expand Urban Growth Boundary (UGB) at this time;
- Enough land within UGB to accommodate 20 years of residential and employment growth;
- City is asking the County to concur in two additions to the UGB that took place in 2005:

- Runyon property 0.68 acres added in 2005 to provide sewer; and
- City's north water storage reservoir 2.4 acre annexed in 2005.
- City able to provide adequate residential; commercial and industrial lands to meet needs for the next 20 years;
- Identified unique economic goals based on resources and desire for the future; and
- Current population is 1,855.

**TESTIMONY:**

*Support:*

David Kinney, Community Development Consultant, City of Mill City

- Appreciation to Brandon for coordination on the plan update:
  - Worked with the city on population forecast;
  - Resolving UGB amendments.
- Plan update is the first major update since 1980;
- First part of a two part process;
- Planning Commission has worked on plan update for approximately a year;
- Includes a revision to the local lands inventory, population forecast, natural resources, demographics, and the economy; and
- Appreciate the Board cooperation on canyon economic development efforts.

**Board discussion:**

- Infrastructure to handle this growth:
  - Public facilities chapter has yet to be updated;
  - Water system update in 2005;
  - Sanitary sewer system constructed in 1994 under United States Department of Agriculture (USDA) grant and updated in 2010, some capacity limitations; and
  - Will need waste water facilities plan in the next five to 10 years.

**MOTION:** Commissioner Brentano moved to close the public hearing and concur in the city's amendment and direct staff to prepare an ordinance that approves the amendments to the Marion County Comprehensive Plan by adopting the amendments to the City of Mill City Comprehensive Plan. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

- Discussion regarding the drought and asked County Counsel the procedures:
  - Emergency declarations for drought conditions gives the state authority to reallocate water;
  - Unlike other emergencies, cannot bring resources and infrastructure to create more water;
  - Depends upon the nature of the emergency;
  - Make sure municipal, industrial and economic priorities receive water;
  - May be declared by region; and
  - Salem Municipal water supply should be okay.



- Municipalities can declare an emergency:
  - State has authority to change water rights and allocations;
  - Can ask County to declare an emergency;
  - County asks state.
- City of St. Paul water concerns; and
- Could use regular updates on current situation.

Commissioner Cameron read the weekly calendar.

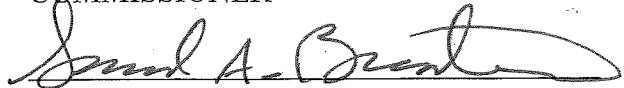
Commissioner Cameron adjourned the meeting at 10:25 a.m.

Not Present at meeting

CHAIR



COMMISSIONER



COMMISSIONER

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

