

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, July 16, 2014  
9:00 a.m.

Senator Hearing Room  
555 Court Street NE  
Salem, OR 97301

**PRESENT:** Commissioner Sam Brentano and Commissioner Janet Carlson. Also present were Gloria Roy as county counsel and Kim Hulett as recorder.

**ABSENT:** Commissioner Kevin Cameron

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

**PUBLIC COMMENT**

None.

**MOTION:** Commissioner Carlson moved to add Business Services – Human Resources as action item #3 and move the Public Works item to action item #4. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

**CONSENT**

BOARD OF COMMISSIONERS

OLCC APPLICATION – Recommend Approval

Nancy’s Burgers East, Salem

Approve an order reappointing Tom Ewing and Pete McCallum to the Public Safety Coordinating Council to terms ending July 31, 2017.

COMMUNITY SERVICES

Approve amendment #3 with the Oregon Department of Education for \$644,367 for the Healthy Families Program and extend the term to June 30, 2015.

FINANCE

Approve a quitclaim deed to convey real property located at 21958 Emma Street SE, Mehama, OR.

INFORMATION TECHNOLOGY

Approve contract with Tyler Technologies, Inc. for \$146,908 for software maintenance covering the purchased products for the county’s assessment and taxation system.

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

## **ACTION**

*Video Time (00:03:21)*

### **BUSINESS SERVICES – HUMAN RESOURCES**

1. Consider ratification of the Marion County Employee Association (MCEA) Collective Bargaining Agreement effective July 1, 2014, through June 30, 2016. – Mina Hanssen

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

- MCEA contract expired June 30, 2014;
- Bargaining began in December;
- MCEA ratified contract as proposed;
- Requesting board ratify contract;
- Changes to collective bargaining agreement:
  - Article 3 Union Security, adjustments made to information county provides association;
  - Article 8, Section 5 Bereavement, language added to match Oregon Family Leave Act (OFLA);
  - Article 8 Sick Leave, revised who qualifies as family member to match current laws;
  - Article 11, Section 3 Cost-of-Living Adjustment (COLA), 3 percent COLA first year effective first pay period following ratification of the contract, but no later than August 1, 2014. 1.5 percent COLA second year of contract;
  - Article 11, Section 8 Pager/Cell Phone Pay, changed to reflect current technology/circumstances;
  - Article 11, Section 11 Lead Work Differential, definition now identical to language in personnel rules;
  - Article 11, Section 12 Working Out of Classification and Section 13 Acting in Capacity, revised to provide clarity to employees;
  - Article 14, Section 1 Cost of In-State Transportation, language added/revised to provide clarity;
  - Article 31 Job Sharing, revised to move in line with personnel rules:
    - Adjustments to how job share is managed due to Affordable Care Act.
- MCEA currently voting on whether to include temporary employees in association;
- Sick Leave Conversion letter of agreement:
  - Allows employees to convert three sick leave days into three personal leave days;
  - Days cannot be carried forward or cashed out;
  - Requires a minimum number of sick leave hours to convert; and
  - Effort to increase employee sick leave balances.

#### **Board discussion:**

- MCEA vote on temporary employees;
- Many hours spent bargaining;
- Board does not participate in bargaining;
- Contract changes will provide clarity;

- Five years since last COLA increase:
  - Employees understood economic conditions.
- Health insurance is largest cost to county:
  - Covers employee and families within cap; and
  - \$1,346 per employee per month.
- Thanked bargaining team/employees for positive negotiation process;
- Reward/keep current employees;
- Remain competitive with rest of state; and
- Still concerned about the future.

**MOTION:** Commissioner Carlson moved ratification of the Marion County Employee Association Collective Bargaining Agreement effective July 1, 2014, through June 30, 2016. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

*Video Time (00:21:27)*

2. Consider ratification of the Marion County Oregon Nurses Association (ONA) Collective Bargaining Agreement effective July 1, 2014, through June 30, 2016. – Amy Rose Fish

**Summary of presentation:**

- Bargaining in March;
- ONA contract expired June 30, 2014;
- Agreement covers 20 nurses;
- Changes to collective bargaining agreement:
  - Article 4 Hours of Work, language updated so department can create 30 hour work week. Moving away from 37.5 hour work week;
  - Article 9 Section 6 Protected Leave and Section 7 Bereavement Leave, language updated to reflect changes to FMLA /OFMLA;
  - Article 10 Section 4 Employer Health Insurance Contribution, employer contribution stays at \$1,346.00. If any changes to MCEA, ONA would get the same changes;
  - Article 12, Section 2(M) Standby Compensation, Pay went from \$.50 to \$1.50 per hour;
  - Article 12, Section 6 Cost-of-Living Adjustment, 3 percent this year effective the first pay period after ratification. 1.5 percent in the next year of the contract;
- Two letters of agreement:
  - Market Reviews, performed every three years due to nursing industry/market; and
  - Sick Leave Conversion.

**Board discussion:**

- Public Health Nurse:
  - Shortage;
  - Unique field; and
  - New types of nursing professions/classifications being developed.

**MOTION:** Commissioner Carlson moved ratification of the Marion County Oregon Nurses Association Collective Bargaining Agreement effective July 1, 2014, through June 30, 2016. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

*Video Time (00:29:39)*

3. Consider approval of an order in the matter of the compensation of non-represented employees. – Mina Hanssen (**Added by motion at beginning of meeting**)

**Summary of presentation:**

- With ratification of MCEA contract:
  - Concern about ability to recruit/retain supervisors and other non-represented professional staff;
  - Estimated compression related to not making wage adjustments would make it difficult to fill positions; and
  - Preliminary research showed pennies between positions.
- No COLA adjustment since July 2007;
- Request the board approve order to match COLAs given to bargaining units to maintain parity between positions:
  - 3 percent effective after the first pay period after the order is signed; and
  - 1.5 percent in the second year.

**Board discussion:**

- Traditionally done when MCEA receives COLA adjustment; however, not guaranteed;
- Excellent supervisors, managers and department heads in Marion County who deserve to stay within market; and
- Implements budget committee's decision regarding elected officials compensation.

**MOTION:** Commissioner Carlson moved approval of an order in the matter of the compensation of unrepresented and confidential employees. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

*Video Time (00:33:26)*

**PUBLIC WORKS**

4. Consider adoption of an administrative ordinance granting zone change, case #ZC14-001, Phoenix Investment Group, Inc., Clerk's File #5686. – Joe Fennimore

**Summary of presentation:**

- Reviewed case #ZC14-001, Phoenix Investment Group, Inc., Clerk's File #5686 (Attachment A).

**Board discussion:**

- Hearings Officer went through an immense amount of zone codes;
- Verified disagreements were negotiated to mutual satisfaction; and
- Verified no public opposition.

**MOTION:** Commissioner Carlson moved adoption of an administrative ordinance granting zone change, case #ZC14-001, Phoenix Investment Group, Inc., Clerk's File #5686, subject to conditions in exhibit B. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

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

None.

Commissioner Brentano read the weekly calendar.

Commissioner Brentano adjourned the meeting at 9:50 a.m.

Attachments: (A) Case #ZC14-001, Phoenix Investment Group, Inc., Clerk's File #5686 presentation.



CHAIR



COMMISSIONER

**Not Present at meeting**

COMMISSIONER

**This board session can be viewed on-line at <http://www.youtube.com/watch?v=LsHdeTaPn20>.**

Good morning Commissioners. For the record this is Joe Fennimore. This item before you today is an application to change the zone from CR-Commercial Retail to CG-Commercial General on 2.57 acres located at 4170 and 4180 Silverton Road NE. Applicant owns an RV park on an adjacent property and wants to develop a portion of the subject property with mini-storage warehouses and covered RV storage. Since these uses are not permitted in the CR zone in order to develop property a zone change to CG is required.

The hearings officer conducted public hearings on the matter on April 2<sup>nd</sup> and April 16<sup>th</sup> 2014. On June 13<sup>th</sup> the hearings officer issued a recommendation to the Board to grant the zone change subject to conditions.

The hearings officer determined that not all of the uses listed in the CG were appropriate for the property because a small section of its eastern property line is boarding land zone single family residential and recommends a limited use overlay be applied to the property. The hearings officer analyzed all the uses permitted out right or conditionally in the CG zone and determined which of those are appropriate on the property.

Conditions also include right-of-way dedication, street improvements, and access for the County to maintain or repair the public drainage ditch and pipes crossing the property. I have spoken with both the applicant and his representative and they had no concern about any of the conditions.

The Board received the hearings officers recommendation and held the application for the mandatory appeal period, no appeals were filed. Notice of adoption of this administrative ordinance was made on July 9, 2014 and it is now before you for final consideration and adoption.

Options for the board include adopting the ordinance as written, direct staff to prepare a modified ordinance for consideration, choose not to adopt the ordinance at this time.

I will be happy to answer any questions.