

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, October 29, 2014
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

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

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

PRESENTATION

Video Time (00:01:02)

SEDCOR 2014-15 1st Quarter Report – Chad Freeman, Nick Harville

Summary of presentation:

- Continue to see growth in business investment and hiring in this region;
- Companies have invested over \$100 million in the last two years in this region:
 - Investments continue to be led by local companies looking for ways to expand businesses; and
 - 1,300 new and retained jobs in the valley.
- Positive upswing in market; and
- Full report (attachment A).

Board discussion:

- Commissioners thanked SEDCOR for its support; and
- Quarterly report is positive.

PUBLIC COMMENT

None.

Video Time (00:10:48)

CONSENT

CLERK

Approve an order appointing Paul Allen and Donald Miller to the Marion County Board of Property Tax Appeal Governing Pool and Donald Miller, Paul Allen, Gerald Bauman, Richard Manning and Bob Riggi, Jr. as members to the non-office holding pool, and Donald Miller is appointed Chair of the Marion County Board of Property Tax Appeals until June 30, 2015.

HEALTH

Approve amendment #2 to the following contracts to extend the period of performance through December 31, 2014, and add funding to continue services:

Childhood Health Associates of Salem	\$12,500
Northwest Human Services	\$12,500
Willamette Family Medical Center	\$12,500

Approve amendment #3 to the contract with Performance Health Technology to add \$75,000 in funding to cover cost of services through December 31, 2014.

Approve amendment #4 to the intergovernmental agreement with Mid-Valley Behavioral Care Network to add \$23,504 in funds for professional services for Project ACCESS and retroactively extend the agreement through September 30, 2014.

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

ACTION

Video Time (00:12:50)

PUBLIC WORKS

1. Consider receipt of \$193,286 from the Oregon Military Department Office of Emergency Management (OEM) through the OEM Emergency Management Performance Grant (EMPG) 14-524 for July 1, 2014, through June 30, 2015. – Ed Flick

Summary of presentation:

- Acceptance of the annual OEM Emergency Management Performance Grant:
 - Grant provided by FEMA through the state;
 - Reimbursable grant; and
 - Principally funds the salaries of three staff in Marion County Emergency Management Office, some travel and supplies.

Board discussion:

- Attending Emergency Preparedness Fair:
 - Sponsored by Northwest Natural Gas and American Red Cross;
 - Opportunity to bring together various partners in community that have an emergency response role; and
 - Funding will be ongoing.

MOTION: Commissioner Cameron moved approval to receive \$193,286 from the Oregon Military Department Office of Emergency (OEM) through the OEM Emergency Management Performance Grant (EMPG) 14-524 for July 1, 2014, through June 30, 2015. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

Video Time (00:19:27)

SHERIFF

2. Consider approval of a resolution amending the Marion County Jail Capacity Management Plan. – Sheriff Jason Myers, Bruce Armstrong

Summary of presentation:

- Jail Capacity Management Plan (attachment B) guides release decisions at jail;
- Continuously evaluated and edited as issues arise that impact jail and release center;
- Approximately 14,000 offenders brought to jail each year:
 - Current capacity is 415 beds in jail and 144 beds in work release center.
- Changes in plan:
 - Reducing beds in jail by five to 410;
 - Five beds funded through budget earmark from legislature for pilot program and now no longer received;
 - Language changes to better reflect current practices and decision making regarding release decisions; and
 - Language changes regarding municipal offenders reinstated.
- Current plan last amended in October 2013; and
- Reduction of five beds to male population, currently set at 350, reduced to 345.
- Domestic violence or Measure 11 offenses not subject to release under plan and identified in Exhibit D of Plan; and
- Exhibit C, pre-arraignment charges identified and not subject to release.

Board discussion:

- Six municipal charges accepted and do not require a hold:
 - Misdemeanor offenses all driving related (Exhibit A).
- Obligation to state charges only; and
- Reduction of beds due to budget note.

MOTION: Commissioner Carlson moved approval of a resolution amending the Marion County Jail Capacity Management Plan. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

PUBLIC HEARING

9:30 A.M.

Video Time (00:30:32)

PUBLIC WORKS

A. Public hearing to consider hearings officer's recommendation denying case #ZC/CP 14-002, Freres Timber Inc., Clerk's File #5688. – Joe Fennimore

Summary of presentation:

- Application to change comprehensive plan designation from primary agriculture (PA) to rural residential (RR) and zone from exclusive farm use (EFU) to acreage residential 10-acre minimum (AR-10) on 28-acre parcel located in 7500 block of Sherman Road SE, Aumsville;
- Property is undeveloped and adjacent properties north, west and south zoned EFU and in farm use;
- Property to east, across Sherman Road, is zone AR and contains rural homes;
- Public hearings held on May 7 and July 9, 2014;
- On September 17, 2014, Hearings Officer issued recommendation that board deny request;
- Property is subject to Statewide Planning Goal 3 – Agricultural Lands;
- Applicant must justify an exception to goal if request is to be approved;

- Three types of exceptions to statewide planning goals:
 - Property is too physically developed to be available for resource use;
 - Land surrounding property is developed to an extent that property is irrevocably committed to uses other than resource use; and
 - County to show other reasons why a goal exception is appropriate.
- Applicant proposes a committed exception;
- Hearings Officer determined that the applicant had not proven property was irrevocably committed because of existing adjacent uses;
- Goal 3 exception is not recommended;
- Without Goal 3 exception proposal fails to satisfy all applicable comprehensive plan policies and zone change criteria; and
- Applicant's representative requests hearing be continued until November 26, 2014 or later.

Board discussion:

- Goal 3 exception is difficult to demonstrate anywhere, especially EFU land;
- Activities on surrounding properties prevent subject property as a resource use;
- If case appealed, would go to Oregon Land Use Board of Appeals;
- Surrounding properties all support some sort of farm use;
- Hearings officer could not conclude types of farm use and prevents subject property from farm or forest use;
- Reasons exception:
 - Looks at specific property for reasons why specific property should be treated differently from other properties in area;
 - What is the use and why on this property; and
 - Reasons exception toughest to justify.
- Physically developed:
 - Existing property developed in manner that is not available for resource use.
- Options:
 - If goal is to divide property, only option is goal exception process;
 - Build one home only on property and get a soils report in EFU zone and if predominant class IV soils apply, this would be looked at;
 - Change to different type of resource zone such as farm timber (FT) zone:
 - Mixed use zone;
 - Looks at what property was used for in January 1993, if forest use easier to get a dwelling (look at forest rules); and
 - If farm use the farm rules are looked at.
 - Special Agriculture zone:
 - Provisions for a lot of record dwelling; and
 - Prove ownership since 2005.
- Sensitive Groundwater Overlay Zone on property:
 - SGO 6 designation; and
 - Not creating parcels on property so SGO not a concern.

Testimony:

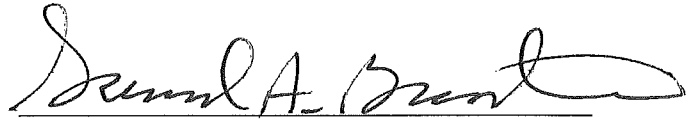
None.

MOTION: Commissioner Cameron moved to continue the public hearing to a date certain of December 3, 2014. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

Commissioner Brentano read the weekly calendar.

Commissioner Brentano adjourned the meeting at 9:55 a.m.

Attachments: (A) SEDCOR 2014-15 1st Quarter Report
(B) Marion County Jail Capacity Management Plan



CHAIR



COMMISSIONER



COMMISSIONER

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



626 High Street NE Suite 200 | Salem, OR 97301 | 503-588-6225 | www.sedcor.com

October 20, 2014

Mayor and City Council
City of Salem
555 Liberty Street SE
Salem, OR 97301

Commissioners
Marion County
P.O. Box 14500
Salem, OR 97309

Commissioners
Polk County
850 Main Street
Dallas, OR 97338

RE: SEDCOR 1st Quarter 2014 – 2015 Activity Report

Executive Summary:

This has been an exciting start to Strategic Economic Development Corporation's new year. With the announcement of Forest River and their new expansion in Silverton, Columbia Helicopter moving into a new building in Woodburn, Diamond/Kettle Foods breaking ground on their new facility, and the expansion of FedEx, we are beginning to see continued recovery from the recession here in the Mid-Willamette Valley.

As we begin our 2014 fiscal year, we are seeing continuing growth in business investment and hiring in our region. In the last two years companies have invested over \$100 million in the region, creating jobs and opportunity throughout our communities. These investments continue to be led by local companies looking for ways to expand their business and grow in our region.

Companies that have invested in our region in the last two years include:

NORPAC/Henningsen Cold Storage	KP Harvest Time Products
GK Machine	NW Fruit
Inventure/Willamette Valley Fruit	Wandering Aengus Ciderworks
Garmin	Turner Lumber
Willamette Valley Pie	Diana Foods
Don Pancho	West Salem Machine
Hanard Machine	Fed-Ex
Wilson Construction	Fiber-Fab
Pacific Building Systems	Kettle Foods
Air System	Truitt Family Foods
Universal Forest Products	Columbia Helicopter
Custom Kraft (Driftcreek)	

The cumulative impact of these firms' investment equates to more than \$100 million in new investment in our region from traded sector companies in the last two years and over 1,300 new and retained jobs in our valley.

We expect that local firms will continue to lead our economic growth, as our portfolio of recruitment and retention projects is experiencing steady growth. At the time of this writing, SEDCOR has 17 active

expansion projects impacting an estimated 735 jobs in the region (a more detailed breakdown of these numbers is in the table below). It is important to note that while the numbers include an estimated \$209 million in recruitment projects and \$80 million in retention projects, each of these are long-term projects. We have found that the likelihood of a project being completed is significantly higher with retention and expansion than with recruitment.

We continue our work on the Make it in the Willamette Valley initiative. Partnering with the Mid-Willamette Valley Council Of Governments (MWVCOG), we were one of ten winners of the Make It in America Challenge, a federal initiative to accelerate job creation and encourage business investment in the United States. Program activities are designed to encourage companies to keep, expand or re-shore their manufacturing operations and jobs in America, and to entice foreign companies to build facilities and make their products here.

Retention/ Expansion Efforts:

While some of the interest has been from recruitment activities, we are seeing continued interest in local company expansion and retention efforts. We are working on more than 17 active retention and expansion projects, representing a potential of more than \$80 million in investment and an estimated 735 new or retained jobs. The majority of these projects can be identified as being in either the advanced manufacturing or food processing categories.

We are seeing an increase in recruitment projects; however, our experience demonstrates that the retention work has a much higher probability of success in bringing jobs to the region. These local companies are pursuing opportunities to grow their business through careful investment and hiring. It is important to note that many of these are long-term projects.

	Retained & New Jobs	Total Cap Ex
Recruit	1289	\$209,000,000
Retain/ Expand	735	\$80,000,000
	2024	\$289,000,000
Announced	154	\$6,750,000
TOTAL	2178	\$295,750,000

Recruitment Efforts:

Recruitment activity has continued on pace with last year. In the 2013-14 year we saw a total of 56 Requests for Information on buildings or projects in our region. Since July of 2014, we have received 14 RFPs from firms interested in our region. This is a very similar pace to what we saw last year, and still significantly a head of what we saw in the year prior. We expected to see a decrease in these numbers based on our limited inventory of available buildings, however it appears that more companies are interested in moving forward on pursuing plans to build their own.

To continue our recruitment efforts we are working in partnership with the private sector, with Business Oregon, and through regional efforts to understand and market our opportunities. We have a

recruitment portfolio of approximately \$209 million in investment, representing 1,289 potential new jobs to the region.

An exciting announcement is the addition of Forest River, a manufacturing company that has purchased a new expansion facility in Silverton, Oregon. This new project was finalized in early October and is expected to bring more than 50 jobs to the region and strengthen this company's footprint in the Willamette Valley.

Strategic Initiatives:

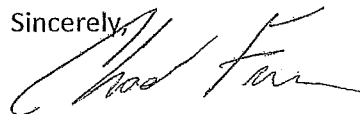
- 1) **Large Lot Recruitment Project** - Working with owners and representative of large lot (over 50 acres) industrial land to find out the industries and companies who need this size of parcel for their next expansion, as well as learning what these firms need to be successful. This project has helped give nationwide exposure to Mill Creek Corporate Center, as well as to help identify our role in the larger regional market. We expect to have the final report for this project for our next report.
- 3) **OFRI Discovery Pavilion** – After two years of planning, fundraising and construction, the new Discovery Pavilion at the Oregon Garden Rediscovery Forest is complete, and a grand opening ceremony was held in September. This project has been a public/private collaboration to help support the forest industry by building a new building at the Oregon Garden. The SEDCOR Construction Alliance led the work on this project, working with a coalition of construction companies and skilled trades people.
- 4) **Workforce Skill Development** - At SEDCOR we continue to advance the IMOM program, helping companies document the skill sets of their aging workforce, using this skills intelligence to work with local school districts, private schools, trade schools and community colleges to provide industry-driven skill development in the future workforce. We are seeing an increased demand in the interest and support for workforce efforts.
- 5) **Business Retention and Expansion (BR&E)** - SEDCOR is leading the development of a two county BR&E project that will benefit communities by helping community members connect meaningfully with businesses. SEDCOR has been working with the communities of Stayton, Sublimity and Aumsville, who are taking the first step of compiling a task force to help with this project. The county has been a great support on this project, and we look forward to working with the county, as well as their new RARE intern, to advance this program. The goals of the BR&E project are to help communities address issues businesses have, build networks and community capacity, educate and inform the community about local business, while bringing communities together and demonstrating that a community cares about local business.
- 6) **Make It In the Willamette Valley** - This quarter we did extensive work with the MWVCOG on an in-depth supply chain analysis, looking at manufacturing firms in the region and where they source materials and services, and how we can help them. We have been meeting one-on-one with local manufacturers to determine their needs and opportunities. In-depth quantitative research on this is being done as well. We have received additional support for this project from Marion County, Yamhill County, PGE and Pacific Corp.

- 7) **Earned Media** - The region was recently highlighted in *Oregon Business*, an award-winning magazine that reaches more than 20,000 business, political and civic leaders across the state. The story, titled "A Good Leap Forward," was published in the September 2014 issue and highlights five Mid-Willamette Valley agriculture businesses and some of the cutting-edge work they're doing to meet global marketplace demands. SEDCOR staff pitched the story and organized the reporter interviews and tour.

We have seen ongoing interest in our region from local companies in this first quarter of the new year, as well as potential new investment into the region. With your assistance and guidance we will continue to improve the economy of the Mid-Willamette Valley, one project at a time.

Thank you, once again, for your continued support.

Sincerely,



Chad Freeman, President
SEDCOR

ATTACHMENT A

**MARION COUNTY JAIL
CAPACITY MANAGEMENT PLAN
EFFECTIVE NOVEMBER 3, 2014**

BEFORE THE BOARD OF COMMISSIONERS
FOR MARION COUNTY, OREGON

In the matter of adopting a resolution to amend)
the capacity management plan for inmates)
confined at the Marion County Jail.)

RESOLUTION NO. 14R-40

This matter came before the Marion County Board of Commissioners at its regularly scheduled public meeting on October 29, 2014, to consider amending the capacity management plan to control the inmate population of the Marion County Jail adopted October 16, 2013, as part of Resolution No. 13R-27.

WHEREAS, the Presiding Judge, District Attorney and Sheriff support the proposed amendments to the capacity management plan, and


WHEREAS, the Sheriff has worked with the State of Oregon and law enforcement agencies in developing the proposed amendments; now, therefore,

BE IT RESOLVED that the capacity management plan attached hereto as Attachment A, and by this reference incorporated herein, shall take effect on November 3, 2014, and shall supersede prior capacity management plans; and


BE IT FURTHER RESOLVED that the capacity management plan adopted October 16, 2013, as part of Resolution No. 13R-27, is hereby superseded and of no further force or effect;

DATED at Salem, Oregon this 29th day of October 2014.

MARION COUNTY BOARD OF COMMISSIONERS


Chair


Commissioner


Commissioner

Marion County Sheriff's Office
Capacity Management Plan
Pursuant to ORS 169.042 through 169.046
Effective November 3, 2014

The operational capacity of the Marion County Jail is established at 410 inmates. The capacity for females at the Marion County Jail is established at 65 female inmates. The capacity for males is established at 345 male inmates. The number of females held at the Marion County Jail may exceed 65 female inmates but only to the extent that the male inmate population is not at capacity. The number of males held at the Marion County Jail may exceed 345 male inmates but only to the extent that the female inmate population is not at capacity.

All individuals who are brought to the Marion County Jail after arrest for misdemeanors or felonies will be booked in and evaluated for release on personal recognizance or security release. Arrestees not released on personal recognizance or security release will be considered for lodging. Individuals sentenced or ordered to custody by the courts, or sanctioned for parole or probation violations will be considered for lodging. Individuals arrested or sentenced for a crime established by city ordinance may only be lodged if the crime is identified in Exhibit A.

The Jail's operational capacity is managed through the directives outlined in this plan, and through a process of reviewing and scoring inmates based on their risk to public safety. See the Marion County Jail Scoring Mechanism attached as Exhibit B.

Before declaring a population emergency, the Sheriff will implement strategies to manage the population and avoid releases pursuant to ORS 169.042 to 169.046. These strategies include reducing the custody level of inmates who are under the Supervisory Authority of Marion County in accordance with Oregon law and Sheriff's Office standing orders, general orders, policies and procedures.

Except as provided below, both pretrial (after booking) and sentenced inmates will be considered for release under this plan. The following will not be considered for release under this plan:

- Pre-trial inmates who have not been arraigned if held on a charge identified in the Pre-Arrestment Charges "No-Go" List attached as Exhibit C.
- Pre-trial inmates held for either a Measure 11 offense or a domestic violence offense identified in Exhibit D before sentencing.
- Inmates not eligible for leave, release or programs as determined by a sentencing court pursuant to ORS 137.750 (SB 936).
- Inmates held in disciplinary or administrative segregation.

When the Marion County Jail population exceeds 400 inmates, a population emergency is deemed to exist. The Sheriff is authorized to give the notice required by ORS 169.046(1), and the Sheriff may release inmates pursuant to ORS 169.042 to 169.046 until a non-emergency population level is reached.

In the event of a population emergency, inmates held in the Marion County Jail solely on the basis of having been arrested or sentenced for a crime established by city ordinance and identified in Exhibit A ("municipal inmate") shall be released before any other inmate and in the following order:

- 1) Sentenced municipal inmate (lowest score first);
- 2) Municipal inmates held pre-trial, post arraignment (lowest score first); then
- 3) Municipal inmates held pre-trial, pre-arraignment (lowest score first).

Thereafter the lowest scoring pre-trial or sentenced inmate will be released using the scoring system as outlined in Exhibit B.

In the event a sentenced inmate must be released for capacity management purposes, the release will be under the authority of the **Emergency Jail Population Control** under ORS 169.046.

In the event a pretrial inmate must be released for capacity management purposes, the release will be under the authority of the **Emergency Jail Population Control** under ORS 169.046. A forced release agreement will be prepared and will include appropriate release conditions, court date, time and location.

At time of arrest and until arraignment, a Circuit Court Judge ("Judge"), district attorney, arresting agency or jail commander (or commander's designee) may place an override on an inmate if that inmate represents a significant public safety risk. Unless placed by a Judge, overrides established prior to arraignment are only valid until arraignment. Upon arraignment, only a Judge or the jail commander (or designee) may place an override if a significant public safety risk exists. An inmate represents a significant public safety risk if that inmate is reasonably likely to cause serious physical harm if released, if that inmate represents a danger to a victim, self, or the public, or if that inmate has been convicted of a crime, is a flight risk and is awaiting sentencing.

The jail commander (or designee) may deny or remove any override other than an override that has been placed by a Judge. If an override is in effect, that inmate will not be considered for release if the operational capacity of the Jail is reached. In the event that an inmate subject to an override must be released, the lowest scoring inmate subject to an override will be released first.

Nothing stated herein shall be construed as limiting the authority of the Sheriff to hold or release inmates when in the Sheriff's judgment the safety and security of Marion County Jail and other custody programs so require.

Marion County Sheriff's Office
Capacity Management Plan
Exhibit A

Lodgeable crimes established by city ordinance:

Driving under the influence of intoxicants
Trespass
Reckless driving
Giving false information to a peace officer
Driving while suspended
Hit and run

Exhibit B

Marion County Jail

Marion County Jail Scoring Mechanism

This mechanism will be used to evaluate and score inmates for release eligibility under the capacity management plan. Inmates who have been arrested for a domestic violence offense or a Measure 11 offense identified in Exhibit D shall not be eligible for release before sentencing. This mechanism evaluates and scores inmates based on risk to public safety. This scoring mechanism utilizes the Public Safety Check List for Oregon (PSC) which was developed by the Oregon Department of Corrections and is currently maintained by the Oregon Criminal Justice Commission (CJC). The Public Safety Checklist is an actuarial risk assessment tool that uses offender characteristics to predict recidivism.

The Public Safety Checklist provides a quick, objective, validated assessment of the probability an offender will be re-arrested for a person or property offense based on the offender's following characteristics:

- Current Age
- Gender
- Current Crime
- Multiple Custody Cycles
- Domestic Violence
- Total number of statutory arrests
- Total number of property arrests
- Total number of person arrests
- Total number of statutory arrests in last 5 years
- Total number of property arrests in last 5 years
- Total number of person arrests in last 5 years
- Prior Incarceration
- Prior Theft conviction

An algorithm is used to weigh the offender's predictive factors and give a "score" for each offender. Inmates will be considered for release under the Marion County Sheriff's Office Capacity Management Plan by using this "score".

If an inmate has no Oregon criminal history other than current charges, that inmate's current arrest charge(s) and out-of-state criminal history will also be considered as a part of the scoring process. If an inmate has been incarcerated with the Oregon Department of Corrections within the previous five years, that inmate's score will be adjusted. The scoring adjustments in this paragraph will be according to a schedule established by Marion County Jail Commander.



MARION COUNTY BOARD OF COMMISSIONERS

Board Session Agenda Review Form

Meeting date: October 29, 2014

Department: Sheriff's Office - Institutions Division

Title of Agenda Item: Amendment to the Jail Capacity Management Plan

Agenda Planning Date: 10/23/14 [] Audio/Visual aids required Time required: 15 minutes

Contact: Sheriff Jason Myers Phone: 3233

Department Head Signature: [Signature]

Presenters: Sheriff Jason Myers, Sheila Lorange, Bruce Armstrong

Description of Issue: Consider a resolution amending the Marion County Jail Capacity Management Plan.

Description of Background: The Jail Capacity Management Plan was last amended in October 2013. The proposed amendment will decrease the capacity at the Marion County Jail by five inmates from 415 inmates to 410 inmates and will revise the scoring system as it relates to municipal offenders. The proposed plan updates and clarifies which inmates will not be considered for release before arraignment or while held pre-trial. Finally, the plan updates the process for establishing an override which prevents the release of a specific inmate when the Jail is at capacity.

Financial Impacts: None.

Impacts: to departments and/or external entities

Options for Consideration: Approve the resolution establishing the revised capacity management plan; approve the resolution adopting a different plan; decline to amend the plan.

Recommendation: It is recommended that the Board approve the resolution adopting the amended capacity management plan.

List of attachments: Resolution, Proposed Capacity Management Plan

Copies of completed paperwork to the following:

Name: Sheriff Jason Myers E-mail: Jmyers@co.marion.or.us

Name: Commander Sheila Lorange E-mail: slorange@co.marion.or.us

Name: Bruce Armstrong E-mail: barmstrong@co.marion.or.us

Name: E-mail:

Name: E-mail: