

**Report on issues discussed at the weekly
Management Update meeting on August 25, 2014**

Commissioners present: Commissioners Sam Brentano, Janet Carlson and Kevin Cameron.

Others present: John Lattimer, Jan Fritz, Gloria Roy, Bruce Armstrong, Alan Haley, Brandon Reich, Joe Fennimore, Bruce Armstrong, Jolene Kelley, Barb Young, Julie Haskett, Tamra Goettsch, and Lynne Coburn as recorder.

Guests: Derek Godwin and Pamela Rose, Oregon State University Extension Service.

Chief Administrative Officer John Lattimer called the meeting to order at 9:00 a.m.

INFORMATIONAL

City of Silverton Water Extension- Brandon Reich

Summary of presentation:

- City of Silverton would like to extend water service to a property with a failing well;
- City extended water service to a number of other properties in 2002;
- Marion County Comprehensive Plan allows extensions where evidence of a health hazard exists;
- Board has approved extensions for Mill City, Woodburn, and Silverton in the past; and
- Board could delegate authority to decide whether to approve the extension to the planning director. Delegating the authority would:
 - Speed up the process;
 - Allow the application to be processed the same as a regular land use application; and
 - Provide an opportunity for appeals if there is a challenge or concern.
- An order could be presented at next Wednesday's board session to either:
 - Call up the application and schedule a public hearing; or
 - Direct the planning director to consider the extension of water.

Board discussion:

- City of Silverton has paid a \$640 fee; and
- City is responsible for any agreements with the property owner:
 - \$15,000 hook-up fee.

Board direction:

- Delegate authority to the planning director.

Noise Ordinance – Bruce Armstrong, Chris Baldrige

Summary of presentation:

- The county has received noise complaints about the Hitchin' Post Tavern, primarily about amplified music at night;
- Hitchin' Post Tavern is located outside the urban growth boundary (UGB) in a community commercial (CC) zone;
- Board addressed a similar problem on Lancaster Drive by removing exemption for commercial uses inside the Salem/Keizer UGB;
- Options for the board to consider:
 - Remove the exemption for commercial uses outside UGB (would affect approximately 204 commercial zoned tax lots);
 - Remove exemption only in the CC zone (would affect approximately 104 tax lots); or
 - Amend the exemption and include noise generated by specific sound producing devices.

Board discussion:

- During the public hearing to consider amending the noise code provision a constituent testified about amplified music played at the Hitchin' Post Tavern and requested that the board consider also applying the amendment outside the UGB;
- Currently, if a property is a commercial permitted use there is nothing code enforcement can do;
- The option of amending the exemption and including noise generated by specific sound producing devices would:
 - Focus on the "type" of noise and maintain the exemption outside the UGB for permitted commercial uses;
 - Allow properties to continue to have music; however, the noise code would apply;
 - Not affect mass gathering permits;
 - Require that the decibel level be lowered at 10 p.m.; and
 - Allow the Sheriff's Office to:
 - Work with owners to make their businesses more responsive to the community; and
 - Deal with noise complaints in rural farm areas.

Board direction:

- Amend the exemption and include noise generated by specific sound producing devices:
 - Issue press release;
 - Notify Hitchin' Post Tavern owner;
 - Contact Anna Staver with the Statesman Journal; and
 - Allow adequate time for press release and notifications before presenting at board session.

Fowler Dog Complaint Review – Tamra Goettsch, Bruce Armstrong, Julie Haskett

Summary of presentation:

- Board received a written complaint from Judy and Robert Fowler (dog owners) who were issued a civil infraction by Marion County Dog Control;
- Facts of the case:
 - Fowlers no longer live in Marion County;
 - Fowlers have never communicated with the Dog Control Officer;
 - Judy Fowler appeared at hearing;
 - Judy Fowler requested her name be removed from the civil infraction;
 - Infraction notices were posted per Marion County's ordinance; and
 - Fowlers worked with Dog Control to be in compliance and fines were reduced from \$600 to \$300.

Board discussion:

- Fines were reduced on May 14, 2014;
- Fowlers do not want to pay reduced amount;
- Robert Fowler is responsible party;
- Fowlers did not petition for writ of review within 60 days;
- Dog Control ordinance states the decision of the hearings officer is final;
- Hearings Officer code also states decisions are final;
- Board of Commissioners cannot extend the appeal period;
- Fines have been reduced to the maximum allowed;
- Fines are for a dog running at large, trespassing, failure to procure a dog license, and the hearing fee; and
- County is seeking to collect on amounts owing.

Board direction:

- Community Services Director Tamra Goettsch and Communications and Administrative Manager Jolene Kelley to draft response. Board to review before sending.

Marion County Extension and 4-H Service District – Tamra Goettsch, Derek Godwin, Marion County Legal Counsel

Summary of presentation:

- Board needs to complete an "Order of Initiation" to initiate the process for referring the extension service district to the May 2015 ballot;
 - Once complete, the board needs to hold two public hearings;
- City of St. Paul passed resolution on June 23;
- City of Stayton passed resolution on August 18;
- Not all resolutions passed were certified. Staff is working to get certified copies; and
- Reviewed Order of Initiation.

Board discussion:

- Resolutions of approval were passed in all 20 cities;
- A total of five "no" votes were cast:
 - Detroit-1, Salem-1, Jefferson-2, and Woodburn-1.

Board direction:

- Order of Initiation to be presented at Wednesday's board session as an action item;
- Notify City of Salem Mayor Anna Peterson with October 1 hearing date;
- If first hearing is not continued, second hearing would be November 12;
- Final review to take place on September 29, Management Update meeting.

Chief Administrative Officer John Lattimer said the option of the extension service moving out of the Health Department building and leasing their own space is being discussed.

COMMISSIONERS' COMMITTEE ASSIGNMENTS AND UPDATECommissioner Brentano

- Attended Mid-Willamette Valley Area Commission on Transportation (MWACT) meeting on August 7:
 - One of the two ConnectOregon projects in the Marion County area (White's Hauling and Farm, LLC) wants to move to Independence. MWACT will work to keep the money in the region. A Salem-Keizer Transit District project is next on ConnectOregon's list.
 - Presentation on earthquake preparedness for facilities in Oregon.
- There is a proposal for the City of Silverton, Moonstone Garden Management and Oregon Garden Foundation to purchase 80 acres (Pettit property) adjacent to The Oregon Garden:
 - Attending September 9 Silverton Council meeting to express support.

Chief Administrative Officer John Lattimer said he and Silverton City Manager Bob Willoughby will be meeting with Oregon State Parks and Recreation about community grants.

Commissioner Cameron

- Met with Willamette Atkinson School of Management Practical Applications for Career and Enterprises (PACE) program about a potential Economic Development Advisory Board (EDAB) project:
 - PACE would assist EDAB with defining measurement criteria for economic development and other EDAB issues.
- Attended EDAB meeting:
 - Given "green light" to expand EDAB board by six members; and
 - Staff has posted EDAB grant application.
- Attended Salem Area Chamber of Commerce Greeters meeting at the Oregon State Fairgrounds:
 - Charging for parking; however, lowered fair ticket price.
- Attended Detroit Lake Recreational Area Business Association (DLRABA) meeting:
 - DLRABA forming 501(c)(3):
 - Owner of old high school property would like to donate building for a community center.
- Continue to have one-on-one meetings with department heads;

Commissioner Carlson

- United Way Campaign kickoff:
 - As the Local Government Chair for Marion, Polk and Yamhill Counties, approximately 60 letters were sent out to government entities asking if they would like to have a United Way campaign.
- On August 12 met with Senate President Peter Courtney and members of his staff. They discussed the animal rescue entity bill as well as mental health and juvenile justice issues:
 - Animal rescue entity bill:
 - Senator is a proponent of animal rescue entity bill; and
 - Legislative Director Anna Braun will take Marion County's recommendations to legal counsel.
 - Association of Oregon Counties (AOC) legislation package:
 - \$15 million bill for mental health reinvestment. There will be a discussion about how AOC's bill fits with the Senator Courtney's comprehensive mental health bill.
- Marion County Public Safety Coordinating Council (MCPSSC) meeting:
 - Presentation on House Bill 3194 Justice Reinvestment:
 - By statute, grant applications come from the Public Safety Coordinating Council, not the county commissioners; and
 - District Attorney Walt Beglau will review administrative rules with MCPSSC members.
 - Presentation by WVP Health Authority Chief Financial Officer Dean Andretta and Mid-Valley Behavioral Care Network (MVBCN) Executive Director Scott Tiffany on coordinated care organizations and mental health.
- On August 13 toured Sponsors, Inc.'s reentry housing and St. Vincent de Paul's in Eugene:
 - Marion County Housing Authority Executive Director Shelly Wilkins-Ehenger is working on hiring a grant writer for reentry housing;
 - Larry Tokarski is interested in bringing a St. Vincent de Paul recycling facility to Salem:
 - Could create 200 jobs; and
 - Would not compete with Garten Services, Inc.
- August 14 was "Fair Volunteer Recognition Night";
- August 20 attended all day juvenile justice training:
 - Chief Administrative Officer John Lattimer will follow up with the Juvenile and Health departments on working more closely together on mental health issues.
- Toured Clackamas County Justice Center with Commissioner Cameron; and
- Willamette Valley Community Health Chief Executive Officer Bill Guest will be visiting the Board of Commissioners' Office today. Mr. Guest comes from Cascade Comprehensive Care in Klamath County.

Adjourn: 10:20 a.m.