



Management Update Summary Minutes

Monday, June 22, 2015, 9:00 a.m.
Courthouse Square, 555 Court St. NE, Salem
5th Floor, Suite 5232, Silverton Conference Room

ATTENDANCE

John Lattimer, Sam Brentano, Janet Carlson, Kevin Cameron, Gloria Roy, Jolene Kelley, Jan Fritz, Alan Haley, Ed Flick, Laurie Steele, Scott Norris, Jason Myers, Jeff White, Jeff Bickford, Julia Uravich, Jan Zyryanoff, Cindy Johnson, Barb Young and Kristy Witherell as recorder.

GUESTS

Scott Clemans and Ken Chichester

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

COMMUNICATIONS UPDATE

Jolene Kelley, Public Information Coordinator, gave current updates.

INFORMATIONAL

Cycle Oregon Fee Waiver Request

Summary of presentation:

- 28th year of Cycle Oregon bike ride in Marion County;
- Marion County requested Cycle Oregon to purchase life jackets at a cost of \$2,000 which they are willing to do;
- Marion County requested a dollar per person fee as well which is an extra \$2,000 to cross the ferry; and
- Asking the commissioners to waive the crossing fee for July 11, 2015.

Board Direction:

Commissioner Sam Brentano said a compromise would be to charge a flat fee of \$2,000 to Cycle Oregon for the crossing on the ferry and toward life jacket purchase. The commissioners concurred.

Marion County Drought Declaration Discussion (See Attachment A)

Summary of presentation:

- Scott Clemans, Public Affairs Specialist from the Army Corps of Engineers gave a summary of the water situation in the Willamette Valley:
 - Currently, the 13 Willamette Valley Dams are approximately 48 percent full:
 - Usually at this time we would see all dams full.
 - Detroit Lake is at 35 percent full;
 - At this time, Detroit lake is 60 feet below where it should be at this time of year;
 - Army Corps of Engineers is releasing minimum flow of 1,000 cubic feet per second with a little bit extra for irrigation out of Big Cliff Dam;

- Army Corps of Engineers does not anticipate significant difficulties meeting either the municipal water mission, industrial water mission or irrigation mission;
- There will be obvious serious impacts to recreation on the lake;
- Will see dramatic negative effects on endangered fish species throughout the Willamette basin:
 - Commissioner Cameron asked if that was due to low water levels or water temperatures;
 - Scott Clemans stated it was due to water temperature. There is enough water to provide tributary flow that is needed but Willamette flow targets will not be met:
 - Right now, the water temperature is being cooled at the dam by mixing the water from the bottom of the lake. As the summer progresses, there will be less cool water to mix and the temperature will be too hot for endangered fish.
- Currently, the flow into Detroit lake is 560 cubic feet per second;
- Commissioner Cameron stated that he was concerned by the historical flood data that is used for the dams:
 - Scott Clemans stated that they are conducting studies on the topic. No conclusions have been made at this time:
 - It has been suggested to start filling Detroit Lake earlier in the season;
 - Several studies have suggested that the current refill schedule is too aggressive given the risk of flood damage; and
 - It is certainly a topic of very deep conversation at a lot of levels at both Army Corps of Engineers and partner agencies.
- Ed Flick provided information on the drought monitor:
 - Oregon Drought monitor is updated monthly;
 - One section of Marion County is currently at moderate drought, D1 and the other section at severe drought, D4;
 - Over the last two months the drought has progressed in intensity from the southeast to the northwest;
 - At this time, no city or special district have raised concern on the near term:
 - One exception is St. Paul, they've had an issue with their ground water well; and
 - Working to improve their second well.
 - Been in close discussion with the City of Salem and participated in an exercise on May 21, 2015:
 - Salem has concluded that they do not expect to have water curtailment this summer;
 - Feel that they have 17 days of supply;
 - Are comfortable with the position of enacting voluntary notifications of water restrictions;
 - If City of Salem sees water at below 1,000 cubic feet per second from Geren Island Water Treatment Facility, that is when they will be more concerned;
 - If the outflow dips below 800 cubic feet per second, there will be system concerns:
 - The city will begin it's curtailment plan; and
 - Believe the daily use will be reduced from 40 million gallons to 20 million gallons.
 - Does not see a concern of the outpour dipping below 1,000 cubic feet per second.
 - Looked closely at the effect of the drought economically:
 - Met with the City of Detroit in May 2015 and got an initial view of what economic impacts the city was encountering; and
 - Passed the information onto the State Climate Service which is the voice for the State of Oregon into the Federal Job monitor process.
 - Have seen the first of two possible declarations:
 - A declaration can take two shapes;

- The first is the U.S. Department of Agriculture can issue a declaration which would be an agricultural emergency declaration:
 - It operates independently of the normal declaration process;
 - The Secretary of Agriculture has declared agricultural drought in Wasco County;
 - Issued a press release June 11, 2015, that includes Marion County as jurisdictions eligible; and
 - Small businesses in Marion County are now eligible for Small Business Drought Assistance Loans.
- The second declaration is the Governors Declaration:
 - 19 of the 36 counties in Oregon have declared and received a Governors Declaration of drought;
 - Lane County is the only county in the Willamette river water shed that has declared:
 - Had a critical industrial business that makes aggregate and didn't have access to water based on water rights issue; and
 - Lane requested the declaration principally to allow water to be reallocated from other instream uses to supply that business.
 - Enacting a drought declaration would give the director of Oregon Water Resources Department the ability to prioritize surface water allocations for drinking water and livestock;
 - According to the Water Resources Department, no water utilities in Marion County are currently experiencing difficulties or demands for drinking water from their normal source of supply;
 - There is no indication at this time that water will not be available to meet irrigation contracts;
 - Most probable scenario is there will be stress with hot summer but water will be available;
 - Commissioners can declare drought for a particular county;
 - There is not a threat that Detroit Reservoir will run out of water:
 - There is enough water to keep with 1,000 cubic feet per second indefinitely flowing through the dams; and
 - Detroit Reservoir will hit our normal winter elevation by October.
 - There is a monthly drought council that will meet July 9, 2015 to actively discuss water issues throughout Marion County.

Board Discussion:

- Commissioner Cameron requested I to have a monthly update.

Cougar Court/Butte Court Pedestrian Pathway Good Neighbor Fund Program Request

Summary of Presentation:

- In 1998, received complaint with littering and loitering on the pathway;
- Purpose of the path was to connect the neighborhood with the city busses on State Street;
- Residents built wall in 1999 and Marion County removed the wall;
- In 2007, neighborhood association came together to discuss the fate of the path:
 - Vacate path;
 - Add lighting; or
 - Barricade the pathway.
- In 2014, property owners requested a vacation of the path:
 - Talked to residents and they wanted to vacate the path which would be a \$2,500 fee for the property owners;
 - Sheriff's Office showed support of vacating the pathway; and
 - 22 neighbors supported closure, two did not and one was neutral.

- Consideration of putting in pathway at Butte Court as an alternative;
- Talks about putting in barriers at the pathway for motor vehicles and bicycles;
- Not having the pathway would add .6 miles to get out of the neighborhood;
- Public Works and the Sheriff's Office is in support of vacating the pathway;
- Sheriff's Office will assist with inmate crews to get rid of pathway;
- Once hard path is removed, the property owners would absorb the property and move fences over; and
- Recent survey by code enforcement, only a couple of people are actually using the pathway.

Board Direction

- Commissioner Cameron is in support of vacating the pathway;
- The Boards Office will draft an order of consideration to waive the \$2,500 application fee:
 - Good neighbor fund will cover the cost up to \$2,500.
- Sheriff's Office will notify the neighborhood of a public hearing.

Review Draft Hauler Medical Waste Acceptance Agreement

Summary of Presentation:

- A new Medical Waste Acceptance Agreement for out of county infectious waste haulers has been drafted;
- It prohibits human fetal tissue in the contract language;
- Gives the right to inspect loads;
- Gives the Board of Commissioners the signature authority;
- All haulers would have to see and sign the new agreement in order to drop their load off;
- Commissioner Carlson asked if there is a budget for hiring employees who have special inspections skills:
 - Currently, there is not;
 - Public Works put out a Request for Proposal (RFP) twice and found two companies that were interested but did not receive proposals from them; and
 - Will put out a RFP on Oregon Procurement Information Network (ORPIN).
- Inspections have not been done at COVANTA because there is not anyone qualified to do them;
- The inspectors will need to be certified in handling infectious waste;
- There is concern for employees health and safety breaking open infectious waste boxes;
- There is concern related to finding prohibited items, isolation and managing it; and
- Commissioner Brentano suggested contacting the hauler to pick the prohibited item and paying a fine.

Board Direction:

- Commissioner Carlson stated that a remedy needs to be made and it needs to be enforceable; and
- Alan Haley will improve the RFP and bring it back to the Board.

Discuss Write Off of \$50,000 NC Venture Receivable

Summary of Presentation:

- In 2010, a cable franchise transferred over from Country Cable to Wave Broadband;
- Country Cable was delinquent of franchise fees due to Marion County;
- There was a tentative verbal agreement of \$50,000 settlement from a \$250,000 bill;
- In discussion with Legal Counsel, there is no ability to enforce an oral agreement;
- Have not been successful to get NC Ventures to execute the written agreement;
- Marion County has been stuck with an uncollectable balance;
- The \$50,000 was never executed because it was never returned by NC Venture:

- Marion County made several attempts to recover the debt.
- Wave Broadband is paying franchise fees to Marion County; and
- Order attached will come to Board Session on June 24, 2015.

Discuss Public Works Accounts Receivable Items Write Off

Summary of Presentation:

- Invoice for \$4,000 for a Weed Abatement:
 - The records are unclear as to the collectability;
 - Records kept are unable to determine what was collected; and
 - An agreement was reached with attorney that no further action will be done.
- Silverton Road property:
 - In 2008, Marion County incurred a \$13,000 cleanup cost on a property in Marion County;
 - Judgement lien on property, lien will expire in three years, ability to request another lien for 10 years which is the last lien that the county will be able to put on the property;
 - This is enforceable for 13 years; and
 - Property is foreclosable if the property owners do not pay off the debt.

Board Direction:

- The Board will send a letter to the property owner outlining options.

Discuss Implementation of Garnishment on Outstanding Collection Accounts

Summary of Presentation:

- Marion County did not request to use garnishments as an option;
- Garnishments will increase revenue by five to ten percent;
- Marion county has \$16 million of outstanding receivables;
- Does not take Board action to start garnishments;
- Largest unpaid fines are from Justice Courts;
- The Board is concerned with Parole and Probation garnishments:
 - Would like to exclude them but allow all other garnishments.

Board Direction:

The Board would like to delay making a decision until more information from Jeff White is brought forward.

Request to Use Courthouse Square for Salem Sunday Streets Events

Summary of Presentation:

- Salem Creative Network is requesting to use Marion County property for their event:
 - Requesting a music stage on Hatfield Plaza;
 - Some acoustic music on the Courthouse steps;
 - Have craft or food vending on the north block; and
 - A car show on the transit mall if approved by Salem-Keizer Transit.
- Their alternative is to use the city street or using the State Capital and parks;
- Any agreements or insurance requirements would go through the Condo Board;
- Commissioner Cameron stated that appropriate fees need to be charged to cover expenses:
 - Security;
 - Liability;
 - Cleanup; and
 - Written agreement of a down payment.
- Moving forward to gather documents for proposal and examples of potential agreements.

COMMISSIONERS' COMMITTEE ASSIGNMENTS and UPDATE

Commissioner Sam Brentano

- Marijuana Bill:
 - Possibility to put out in an election to opt out marijuana production and sales in Marion County:
 - Reaffirming the policy that Marion County is a drug free workplace.
- Complaints on Butteville Road and McKay Road with lack of enforcement.

Commissioner Kevin Cameron

- Was at the Capital to talk about House Bill 2031, have not seen it move:
 - Two different paths needed:
 - Bill needs to be requested by Jen Williamson, go to the Public Safety Subcommittee and an opportunity to go to Human Services Subcommittee. Get funded and moved out.
 - The other option is to move it out with funding then it could be an end of session appropriation with perhaps a budget note.
 - Barb Young will be working on language for the budget note;
 - Jen Williamson has requested the bill, Ways and Means have not released the bill;
 - Senator Winters is requesting it to be in the Christmas Tree Bill;
 - Nothing further has been heard; and
 - Barb will follow up.
- Airport Bill is sitting in Rules, not moving;
- Governor signed the Flashing Lights Bill; and
- Attended the City of Salem, Marion County meeting and talked a lot about the drought issue.

LEGISLATIVE UPDATE

OTHER

Alan Haley:

- Sheriff's Office radio system suffered major malfunction on channel one;
- Radio system needs shoring up;
- Big issues over the weekend for the deputies;
- Deputies couldn't use portable radios so they were doubled up;
- The system needs an update:
 - Several hundred thousand to millions of dollars to replace and update; and
 - Cost of \$500,000 – \$750,000 to get the system running properly.
- Will set up a work session after information gathering.

Sheriff Myers:

- Records management and jail management system went down Friday. Will need to replace it in the 2016-2017 budget year:
 - There is an RFP out to replace the system.

Adjourned 11:26 a.m.