

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, April 15, 2015  
9:00 a.m.

Senator Hearing Room  
555 Court Street NE  
Salem, OR 97301

**PRESENT:** Commissioner Janet Carlson 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 Kevin Cameron

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

**PRESENTATION**

*Video Time (00:01:04)*

2014 Annual Volunteer Recognition Awards – Cathy Crocker

Cathy Crocker presented the highlights of the 2014 Annual Volunteer Recognition Awards (Attachment A).

**PUBLIC COMMENT**

*Video Time (00:38:13)*

Christopher Oss:

- Thanked the board for the opportunity for his business to stay open;
- Concern is if the market will be over-saturated and it will be open door;
- County would be wise to put a bigger buffer zone between dispensaries;
- Already more dispensaries than McDonalds and Starbucks combined; and
- Suggested that a buffer zone be larger.

Board discussion:

- Employs seven people now and does not want to get into recreational; and
- Feels medical marijuana has medicinal purposes.

**MOTION:** Commissioner Brentano moved to add the following item to the Action calendar. “Consider approval of a Memorandum of Understanding (MOU) with Multnomah County and Third Sector Capital Partners, Inc. for a Pay for Success Technical Assistance Grant and authorize Commissioner Carlson to sign the MOU. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

## CONSENT

*Video Time (00:43:28)*

### ASSESSOR

Approve a resolution approving the FY 2015-16 County Assessment Function Funding Assistance (CAFFA) grant in the amount of \$6,664,729.

### PUBLIC WORKS

Schedule adoption of administrative ordinance granting zone change/comprehensive plan amendment, case #ZC/CP 14-002, Freres Timber, Inc., Clerk’s File #5688, for April 22, 2015.

### TAX COLLECTOR

Approve an order authorizing property tax refund to Umpqua Bank in the amount of \$89,398.43.

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

- Commissioner Carlson spoke about the CAFFA grant and she is approving on the basis it does not supersede the county budget deliberations.

## ACTION

*Video Time (00:46:03)*

### PUBLIC WORKS

1. Consider approval of an order re-establishing fees for medical marijuana dispensary ban exemption permits. – Joe Fennimore, Scott Norris

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

- Allow dispensaries in agricultural, industrial and commercial zones;
- Includes a 1,000 foot buffer set back from private or public schools;
- Requires a background check for persons listed as being responsible for the facility;
- Marion County did not feel the ordinance was robust enough and in response adopted ordinance 1333 in February 2014:
  - Ordinance required the facilities to obtain an ban exemption permit in order to operate in unincorporated Marion County;

- Ordinance limits hours of operation from 7:00 a.m. – 10:00 p.m.
- 2014 Legislature passed a bill that allowed local government to enact a moratorium on the operation of medical marijuana dispensary facilities until May 1, 2015;
- April 30, 2014, Marion County adopted an ordinance that imposed a moratorium which lasts until May 1, 2015;
- Work Session in January to discuss changes to ordinance and staff before the moratorium expires:
  - Issue discussed was to have the fees cover the cost to process permits;
  - Board adopted fees by order in March 2014;
  - Permit fees of \$200, renewal fee of \$200, criminal background fee of \$45 per person and an appeal fee of \$250; and
  - The Board reviewed the fees and compared with both the City of Salem and City of Keizer.
- City of Salem adopted permit fees of \$701, \$481 of which is refundable if the permit is denied:
  - Background check fee of \$160;
  - Renewal fee of \$220; and
  - Appeal fee of \$750.
- Marion County is similar to City of Salem's fees;
- Revised order under consideration today would establish a permit fee of \$700, \$481 of which is refundable, renewal fee of \$220, criminal background check fee of \$45 per person and a permit appeal fee of \$750; and
- The Board has an option of approving the order as written, direct staff to make changes to the order or take no action at this time.

***Board discussion:***

- Enforcement needs on the dispensaries;
- How to manage things with dispensaries opening near daycares;
- Lt. Chris Baldrige said there was a dispensary they had to stop for trying to open near a daycare;
- Happy to work with Mr. Oss so that businesses are not trying to take other business away;
- Will manage as situations come up;
- Permit fees includes enforcement of dispensaries; and
- No sympathy for someone knowingly moving close to a daycare.

**MOTION:** Commissioner Brentano moved approval of an order establishing fees for medical marijuana dispensary ban exemption permits. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

2. Consider adoption of an ordinance amending medical marijuana dispensary code provisions, by emergency procedure. – Joe Fennimore, Scott Norris

***Summary of presentation:***

- Proposed changes of ordinance;
- Three changes in the ordinance;

- First would alter time within which a permit holder may apply to renew a ban exemption permit no more than 45 days and at least 10 days prior expiration of the existing permit;
- Would bring the renewal closer to time of expiration;
- Second would clarify that owners of a medical marijuana dispensary must submit to a criminal back ground check;
- The term “owners” is added to background check;
- Thirdly, recreational or medical marijuana social clubs was not proposed when the original ordinance was adopted; and
- The change would remove medical to clarify that colocation is not allowed with any type of marijuana social club, whether recreational or medical.

***Board discussion:***

- If person cannot pass background check, would not be eligible to obtain a permit:
  - Commissioner Brentano said he would like the consequence of the violation listed.
- Measure 91 covers only recreational marijuana use:
  - Law requires personal use in privacy of home; and
  - Is silent on social clubs.
- If social clubs are allowed with recreational marijuana, the ordinance would have to be revisited;
- Personal use is described in Measure 91;
- There are three things to keep an eye on:
  - What if anything the legislature may do;
  - Oregon Liquor Control Commission regulations, when they come out; and
  - Natural evolution of the business as time goes on.

**MOTION:** Commissioner Brentano moved that the chair read the ordinance by title only twice. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

Commissioner Carlson read the ordinance by title only twice.

**MOTION:** Commissioner Brentano moved adoption of an ordinance amending medical marijuana dispensary code provisions, by emergency procedure. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

**BOARD OF COMMISSIONERS** (added by motion above)

Consider approval of a Memorandum of Understanding with Multnomah County and Third Sector Capital Partners, Inc. for a Pay for Success Technical Assistance grant. – Commissioner Carlson, Gloria Roy

***Summary of presentation:***

- Added to agenda late;
- To help Multnomah and Marion County put the structures in place to develop contracts that are long term that reward outcomes as opposed to just rewarding service delivery;
- Ask for results and outcomes and if results are not being achieved;

- Incentivizes results;
- First grant award where the company is paid and county put in a cash match into the agreement;
- Presented with a lengthy non-binding contract and both counties were hesitant to sign;
- Agreement was to put together and non-binding Memorandum of Understanding which allows the parties to start interacting do develop the scope of work and develop the contract terms which will be in a binding contract;
- Marion County counsel was working with Multnomah County Counsel; and
- Can be signed as individual counterparts and merged together.

**MOTION:** Commissioner Brentano moved approval of a Memorandum of Understanding with Multnomah County and Third Sector Capital Partners, Inc. for a Pay for Success Technical Assistance grant and authorize the chair to sign. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

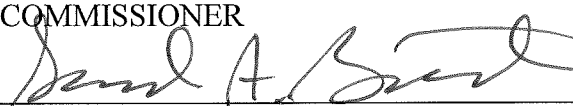
**PUBLIC HEARING  
9:30 A.M.**

None.

Commissioner Carlson adjourned the meeting at 10:23 a.m.

Attachments: (A) 2014 Annual Volunteer Recognition Awards Presentation

  
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CHAIR

Not Present at meeting  
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COMMISSIONER  
  
\_\_\_\_\_  
COMMISSIONER

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





## Marion County Volunteer Awards for 2014

### *About Marion County's volunteer awards:*

In honor of National Volunteer Week, April 12-18, 2015, county departments and individuals are encouraged to nominate a volunteer or volunteer group for service in 2014. Anyone may nominate a county volunteer or group. This is an opportunity for a deserving volunteer to receive an award for his or her contribution and for volunteer groups to be recognized for outstanding work.

A volunteer may be honored for ongoing or past service to a program or for work on a one-time project. The commissioners present the awards at their board session on Wednesday, April 15, 2015 during National Volunteer Week. Your volunteer or volunteer group may be considered by completing and **returning the attached nomination form to Cathy Crocker, volunteer services coordinator, Business Services, by Friday, MARCH 13, 2015**. A selection committee will review the nominations and select recipients for 2014. All nominees will be invited to attend and are recognized along with award recipients at board session. Departments may choose to nominate more than one person or group; however, **only one volunteer or group from each department may be nominated in each category** (i.e. youth, group, adult, etc.).

### *Your nomination will be considered for the following category in which it best fits:*

- **Youth Volunteer** - The Youth Volunteer Award was developed to recognize volunteer accomplishments of young people 24 years and under in county programs and departments. The award is intended to highlight the individual volunteer contribution of a young person. Youth who volunteer in leadership roles, on advisory boards, with special projects, and in programs for the county are eligible for this award. One individual receives this award each year.
- **Advisory Board Volunteer** - Volunteers who serve on county advisory boards are eligible for the Advisory Board Volunteer award. Through this award, an individual volunteer is recognized for service or leadership or an ongoing commitment to an advisory board or for work on a one-time special task force or ad hoc committee. One individual receives this award each year.
- **Division or Program Award** - An award for those who display dedication and exemplary accomplishments within the division or program in which they volunteer. Volunteers in this category will be recognized for their contribution to the division or program, to the customers or clientele the program serves and the betterment of the community in which the program or service is implemented. One award will be given for each division or program with a nomination submitted.

- **Commissioner Mary Pearmine Outstanding Volunteer Group Award** - This award is for county affiliated groups with membership that consists of volunteers. Although the entire membership does not have to be volunteers, volunteers must be a component for a group to be eligible for the award. The group receiving the award is added to the perpetual plaque displayed in the Board of Commissioners Office. One group receives this award.

***One recipient will be selected for the:***

- **Judge Rex Hartley Volunteer of the Year Award** - One volunteer will be selected for this premier award based on outstanding service to the county and the community. The individual receiving the award is given an engraved plaque and his or her name is added to the perpetual plaque displayed in the Board of Commissioners Office.

***Nomination directions:***

1. **Fill out the contact information for the volunteer completely** since he or she will be invited to the award ceremony. Groups are notified through a central contact person or staff, so be sure that information is clear and sufficient to communicate with the group on the nomination.
2. **Complete the nominator information** for the same reason.
3. **Try to focus on the volunteer or volunteer group's contribution** to the county, benefit to the community, commitment to the project or the program, and any unique qualities of the volunteer work since these are the criterion that the selection committee is asked to score.
4. **Use specific examples to describe the nominee's activities.** Stay away from vague references like, "he is so wonderful" or "we could not get along without her." It is important to inform the selection committee why s/he is so wonderful and why you cannot get along without her/him.
5. **Again, use specific examples in the impact section**, which may include, where appropriate, the numbers served, a description of the services offered, or the project that was completed. In this section, describe any impact or changes to quality of life, availability of service, improved safety procedures, or community enhancement in which the volunteer or volunteer group was involved.
6. **Lastly, summarize for the selection committee**, the qualities, skills, meritorious behavior, dedication and commitment that your volunteer or volunteer group demonstrated to deserve recognition.





***The awards selection process and ceremony:***

Once the selection committee has chosen the award recipients, all nominees, nominators and family members of nominees are invited to the commissioners' board session at 9:00 a.m. on Wednesday, April 15, 2015 during National Volunteer Week. Board session is held in the Senator Hearing Room, 555 Court St. NE, Salem. All nominees are introduced and the award recipients announced at the beginning of board session. Nominees are encouraged to arrive between 8:30 and 9 a.m. and sign in before board session begins. Please mark your calendar for this recognition event. Everyone is welcome to attend.

Any questions can be directed to Volunteer Services Coordinator Cathy Crocker at (503) 588-7990 or by e-mail at [ccrocker@co.marion.or.us](mailto:ccrocker@co.marion.or.us). Official nomination forms may also be found on the volunteer intranet page at <http://www.co.marion.or.us/BS/VOL/VM/>.

***Your department's participation is needed to make Marion County's volunteer recognition event successful. Nominate your volunteers TODAY!***



