

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, January 31, 2018
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97305

PRESENT: Commissioner Janet Carlson and Commissioner Sam Brentano. Also present were Bruce Armstrong as county counsel and Kristy Witherell as recorder.

ABSENT: Commissioner Kevin Cameron and John Lattimer.

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

PUBLIC COMMENT

None.

PRESENTATION

(Video Time 00:00:50)

Oregon Garden Foundation first quarterly report. – Allison Pennell, Oregon Garden Foundation

Summary of presentation:

- Started her position as the Development Director of the Oregon Garden Foundation on December 4, 2017;
- Was involved with the garden previously as a representative from the Oregon Association of Nurseries;
- The Oregon Garden Foundation is very grateful for the generous proposal that the county has given regarding the debt forgiveness;
- Hope to move forward with the partners;
- The quarterly report covers from July – September 2017;
- Bee structure built:
 - Placed by the visitors center; and
 - Help with education of pollination.
- Vacant staff this time of year:
 - Moonstone helped out filling in to help run programs.
- Delen Kitchen is the new Assistant General Manager to the Oregon Garden;
- A lot of activity in the Conifer Garden;
- Year-end appeal comes out this fall and slates funds towards education;
- Applied for Collins Family Foundation Grant; was rejected due to lack of diversity in the board;
- Oktoberfest was managed by Moonstone:
 - Estimated \$7,000 profit.
- Fun events:

- Garden University; and
- Garden classes are discounted for members.
- Donation report:
 - \$2,000 in box donation;
 - \$347 Oktoberfest; and
 - \$2,220 donation toward Conifer Garden.
- Bequest from the estate of Joanne Iseli for \$104,905.20 was received in May 2017:
 - Funds will go toward the Conifer Garden expansion campaign.
- Moonstone wrapped up Christmas in the Garden:
 - Well attended;
 - Received \$2,000 in donations and will go to the Horticulture Enhancement Fund.
- Currently at 2,200 members;
- Working with the foundation to make sure there is a presence at all of the events;
- Working on updating the bylaws:
 - Make it relevant to who the current partners are; and
 - Expand the board from five to seven members.

Board discussion:

- Ms. Pennell brings a lot of enthusiasm to the Oregon Garden Foundation; and
- Ms. Roy has been appointed as a board member and will be a great contributor.

(Video Time 00:10:56)

MOTION: Commissioner Brentano moved to remove the action item, Consider approval of the Oregon Garden Foundation 2018 Annual Budget. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

CONSENT

(Video Time 00:11:20)

DISTRICT ATTORNEY'S OFFICE

Approve an Agreement from the Oregon Department of Justice - Crime Victim Service Division for \$989,233.34 to assist with funding federal Victims of Crime and the state Criminal Fines Account.

PUBLIC WORKS

Approve an Intergovernmental Agreement from the Oregon Department of Transportation for \$20,000 reimbursement to the county for costs associated with a traffic study at the Brooklake Road interchange.

Receive notice of hearings officer's recommendation and schedule a public hearing on February 28, 2018 for Zone Change/Comprehensive Plan Case #17-003/R&K Properties, LLC, Clerk's file #5739.

SHERIFF'S OFFICE

Approve the Contract for Services with Bridgeway Recovery Services, Inc. for \$291,312 for support and treatment services for females under the supervision of Parole and Probation.

TAX OFFICE

Approve a property tax refund in the amount of \$89,693.49 to Corelogic Tax Services, Tax ID #R25983.

Approve a property tax refund in the amount of \$21,365.44 to Corelogic Tax Services, Tax ID #R26222.

Approve a property tax refund in the amount of \$25,582.60 to Life Flight Network, LLC, Tax ID #P344011.

Approve a property tax refund in the amount of \$40,719.92 to Life Flight Network, LLC, Tax ID #R351432.

Approve a property tax refund in the amount of \$32,215.69 to Life Flight Network, LLC, Tax ID #R351433.

Approve a property tax refund in the amount of \$18,862.97 to MF Nola Place, LLC, Tax ID #R78027.

Approve a property tax refund in the amount of \$18,504.69 to Seaman-Pollard Family Restaurants, Inc. Tax ID #R83426.

Approve a property tax refund in the amount of \$80,078.87 to South Block Apartments #, LLC Tax ID #R3432741.

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

ACTION

(Video Time 00:16:25)

BOARD OF COMMISSIONERS

1. Consider an order approving Administrative Policy and Procedure #526, Continuity of Operations Plan (COOP). – Lisa Trauernicht & Ed Flick

Summary of presentation:

- Outlines the direction for each department in the county;
- Outlines the direction for each department in the county to have plans in place for continuing operations in the event of an emergency;
- Essential county functions will continue;
- The departments have all updated their COOP recently;
- Very excited to see this policy;

- Will provide a clear framework for guidance across the departments and across the government to build an effective COOP and to maintain and grow the ability to respond over time;
- Worked closely with the several departments and the Board of Commissioners Office;
- Affixes responsibility for individual department plans appropriately with the department head;
- Assigns responsibility to the Emergency Management Program;
- Helped departments to fill in the gaps;
- Develops a Continuity of Government Plan, which would then help the board to ensure the county can respond in a catastrophic event;
- Under the previous direction of the board, Emergency Management has worked with county departments and conducted four workshops over the last six months;
- Currently reviewing the departments' plans and providing feedback;
- Working to move forward with alternate facility planning and procurement;
- As a result of COOP, the county will be more prepared;
- The focus of the COOP is to identify what each department does:
 - Looking to prioritization;
 - Asks departments to identify needs;
 - Organizes approach of essential job functions; and
 - Prevents disruptions.
- Legal department has a plan that they can produce documents for the board if they can't get to the office; and
- It is important to identify what information technology system support which functions;
- By doing the analysis and the hard work, the county will really understand what will be most resilient and understand what can be restored later.

Board discussion:

- This is a new policy before the board;
- The policy is more structured;
- The crux of the policy is under #2, which describes what the components are of a COOP Plan:
 - Each department head is responsible for developing and implementing a COOP Plan.
- The policy provides a framework that lays out roles and responsibilities;
- There is a software system the county is using that is provided by the Oregon Emergency Management that allows the county's Emergency Management Division to run reports;
- The plan will need to be updated and maintained regularly;
- Will provide access to webinars to departments to help maintain their COOP;
- Requires each department to conduct a COOP exercise on an annual basis;
- The board adopts the policy portion, not the procedure attached; and
- The Emergency Management Division will complete their review of department COOP within the next two weeks.

MOTION: Commissioner Brentano moved for approval of an order approving Administrative Policy #526, Continuity of Operations Plan (COOP). Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

(Video Time 00:32:43)

COMMUNITY SERVICES

2. Consider an order approving the Business Development Grant Award in the amount of \$50,000 to Adaptive Plastics. – Sarah Spinks

Summary of presentation:

- This application was submitted to the Economic Development Advisory Board (EDAB) last October;
- Was approved at the November meeting and was brought forward for recommendation for board funding with some contingencies;
- There has been a delay bringing it forward to work out the contingencies;
- The contingencies for EDAB's recommendation for funding were as follows:
 - Move forward with obtaining all of the required permits through Marion County; and
 - Provide a proof of funds for the rest of the project.
- Adaptive Plastic is a locally-owned family operation business in Marion County;
 - Located on Brooklake Road NE, Salem; and
 - The proposal that was brought forward is for an expansion for implementation of patent pending technology related to agriculture.
- EDAB was excited about the application because it aligns with the developing and soon to be proposed Economic Development Strategy:
 - Focuses largely on business development surrounding agri-tech.
- Adaptive Plastics is requesting \$50,000:
 - The total price for expansion and implementation is \$267,000;
 - Will be adding 10 employees over a two-year period; and
 - Will be creating a community greenhouse and partnering with the Marion-Polk Food Share on teaching the community how to grow healthy sustainable foods.

Board discussion:

- EDAB has \$150,000 budgeted for Business Development Grants for fiscal year 2017-18 and is accepting applications on a rolling period; and
- Adaptive Plastics is the only one that had been submitted for this grant round.

MOTION: Commissioner Brentano moved for approval of an order approving the Business Development Grant Award in the amount of \$50,000 to Adaptive Plastics. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

(Video Time 00:36:41)

PUBLIC WORKS

4. Consider approval of a resolution initiating amendments to the Marion County Code, Title 17 (Rural Zone Code) to adopt criteria and standards regulating the siting for photovoltaic solar arrays in certain zones. – Brandon Reich

Summary of presentation:

- On December 27, 2017, the board adopted a resolution initiating amendments to the Marion County Code to adopt criteria and standards regulating the siting for photovoltaic solar arrays in certain zones;
- The resolution directed the Marion County Planning Commission to hold a meeting to provide a recommendation to the board;
- Questions were raised about the county's process;
- After consultation with Legal Counsel, it was determined that the Planning Commission must hold a public hearing before it can make a recommendation to the board;
- Due to the county's desire to develop potential amendments in a timely manner, the resolution replaces the previous resolution by not directing the Planning Commission to make a recommendation; and
- The board will hold the initial public hearing and consider amendments without the Planning Commission's recommendation, which is not required as part of the process.

Board discussion:

- This doesn't hold the process up, instead it moves it ahead a couple of weeks;
- The basic issues are that the solar arrays are going in all over the county;
- Applications are coming in;
- Shouldn't be using prime farmland;
- The commissioners are looking to put solar arrays on farmland that isn't farmable;
- This process will more precisely adhere to what the state code is; and
- The public hearing will be set for Wednesday, March 14, 2018 at 9:30 a.m.

MOTION: Commissioner Brentano moved for approval of a resolution initiating amendments to the Marion County Code, Title 17 (Rural Zone Code) to adopt criteria and standards regulating the siting for photovoltaic solar arrays in certain zones. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

(Video Time 00:40:37)

5. Consider approval of an administrative ordinance granting Zone Change/Comprehensive Plan Amendment #17-002/Video Acquisitions, Inc. Clerk's file #5737. – Joe Fennimore

Summary of presentation:

- The application is to change the zone from Acreage Residential to Unincorporated Community Industrial and to change the comprehensive plan designation from Rural Residential to Industrial on a .6 acre parcel located at, 3511 Brooklake Road NE, Salem;
- The hearings officer held a public hearing on September 6, 2017;

- Issued a recommendation on December 11, 2017 that the board approve the request;
- The board held a public hearing on January 3, 2018:
 - The board approved the request subject to conditions:
 - Reduce potential impacts on neighboring residential property;
 - Limit driveway access to Brooklake Road; and
 - Require an identifying sign to be visible from Brooklake Road.
- The ordinance and findings have been prepared and notice of adoption was given on January 17, 2018; and
- Staff recommends the board to adopt the ordinance.

Board discussion:

- The commissioners would like the hearings officer's report included in the administrative ordinance exhibits; and
- Mr. Reich will provide the information requested before the board adopts the ordinance.

MOTION: Commissioner Brentano moved for approval of an administrative ordinance granting Zone Change/Comprehensive Plan Amendment #17-002/Video Acquisitions, Inc. Clerk's file #5737 and directing staff to include the hearings officer's report in the final version. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

(Video Time 00:51:00)

Recessed as Board of Commissioners
Reconvened as Contract Review Board

CONTRACT REVIEW BOARD

COMMUNITY SERVICES

1. Consider a request of an exemption to allow the use of a Class Special Procurement for the Veterinarian and Community Dog Licensing Program (VCLP) to award multiple Veterinary Licensing Agreements for the sale and issuance of dog licenses on behalf of Marion County. – Tamra Goettsch, Camber Schlag

Summary of presentation:

- The Community Services Department seeks an exemption from the Marion County Public Contracting Rules, Section 20-0285, which allows the board to direct the use of alternative contracting methods as an exemption;
- The VCLP allows veterinarian and community partners in Marion County to license dogs;
- The public and private partnership allows the opportunity for local residents to conveniently comply with required dog licensing laws;
- Community Services Department will open this opportunity up to any and all veterinarian and municipalities in Marion County;
- Notifications will be posted via ORPIN, direct mail, and in person;
- A notice was posted on ORPIN for a class special procurement and did close with no protests received;

- Marion County Dog Shelter is responsible for issuing dog licenses and providing public safety:
 - Part of that requirement is that a dog must be vaccinated with the rabies shot.
- This proposal will expand the existing program:
 - To allow municipalities to take on the licensing requirement; and
 - Will allow a reimbursement of \$3 per dog license to the veterinarians.
- The City of Gervais is interested in issuing dog licenses; and
- Any payments Community Services pays out would come from the dog licensing revenue.

Board discussion:

- The commissioners are for the veterinarians licensing dogs when they get their rabies shot;
- The reason why it is a class special procurement is because Community Services is not going out to bid:
 - There are some agreements that are over \$20,000.

MOTION: Commissioner Brentano moved for approval of an exemption to allow the use of a Class Special Procurement for the Veterinarian and Community Dog Licensing Program (VCLP) to award multiple Veterinary Licensing Agreements for the sale and issuance of dog licenses on behalf of Marion County. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

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

Commissioner Carlson read the calendar.
Commissioner Carlson adjourned the meeting at 10:04 a.m.



 CHAIR
 Not Present At Meeting

 COMMISSIONER


 COMMISSIONER

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