

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, July 3, 2019

9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Kevin Cameron, and Commissioner Sam Brentano. Also present were Jane Vetto as county counsel, Jan Fritz as chief administrative officer, and Brenda Koenig as recorder.

ABSENT: Commissioner Colm Willis

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

PUBLIC COMMENT

(Video Time 00:44:29)

Commissioner Brentano opened a discussion regarding a safety corridor in the City of Donald and the City of St. Paul areas.

Marion County Commissioner Sam Brentano:

- There has been a high rate of vehicle accidents in the area;
- There have been fatalities related to the accidents;
- Legislation has recently been passed on this issue;
- Commissioner Brentano would like to start preparations for safety solutions in the area;
- The county has already instituted some of the following safety improvements:
 - The widening of roads;
 - The striping of roads;
 - Signs are in place; and
 - Rumble strips have been installed.
- Commissioner Brentano suggests the following:
 - Changing the route to the freeway;
 - Reducing the speed limit in the area;
 - Enforcing a reduced speed limit; and
 - Increasing sheriff patrols.

Marion County Commissioner Kevin Cameron:

- Marion County Public Works and the Marion County Sheriff's Office have discussed safety solutions for the area:
 - Letters have been written; and
 - Testimony was given for the legislative bill.

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- Commissioner Cameron suggests possible grant funding for a safety corridor; and
- He recommends a meeting between Public Works and the Oregon Department of Transportation.

Marion County Sheriff Joe Kast:

- The Sheriff's Office has implemented more saturation patrols in the area;
- The Sheriff's Office has seen an increase in vehicle speeds in the area; and
- Sheriff Kast suggests scheduling a meeting with the Board of Commissioners Office, the Sheriff's Office, and Public Works, to discuss possible solutions to reduce vehicle accidents in the area.

CONSENT

(Video Time 00:03:44)

SHERIFFS OFFICE

Approve the Intergovernmental Agreement with the City of Sublimity for incoming funds in the amount of \$185,504 to provide law enforcement services through June 30, 2020.

TAX OFFICE

Approve an order for a property tax refund in the amount of \$37,511.19 to Northstar Communities, LLC.

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

ACTION

(Video Time 00:04:28)

FINANCE

1. Consider approval of the Intergovernmental Agreement (IGA) with the City of Salem restating the relationship that forms the Mid-Willamette Cable Regulatory Commission. –Jeff White and Scott Norris

Summary of presentation:

Jeff White:

- Marion County and the City of Salem have formed a joint Cable Regulatory Commission;
- The two parties have entered into a Cable Franchise Agreement;
- The intent of the commission is to construct, operate, and maintain a unified cable communications system;
- The cable system will provide access to the following:
 - The public;

- Educational entities; and
- Government entities.
- A unified system serves the public interest;
- The individual boundaries of the jurisdictions do not coincide with the needs of the citizens of the jurisdiction for a unified cable communications system;
- The draft IGA was reviewed by the Mid-Willamette Valley Regulatory Commission on June 24, 2019:
 - No concerns were noted.
- The IGA requires the approval of the Marion County Board of Commissioners and the City of Salem City Council.

Scott Norris:

- The IGA for the Cable Regulatory Commission was last revised in 1998;
- The intent of the revision is to update the agreement to be consistent with current practices, and to make minor changes to the agreement;
- Provisions to the IGA include some of the following:
 - Section #3.3:
 - Specifically identifying the county as providing staff and legal support to the commission.
 - Section #4.1 and #4.2:
 - Essentially consolidates those provisions; and
 - Identifies the powers that are retained by the city and the county for dealing with franchise issues.
 - Section #5.2:
 - Authorizes the Cable Regulatory Commission Commissioners to appoint a substitute in the event that a commissioner is unable to attend a Cable Regulatory Commission meeting.
 - Section #7.4:
 - Identifies the public education and government fees collected by the city and the county that will be turned over to the Cable Regulatory Commission.
 - Section #10.3:
 - Specifically authorizing the acquisition of real property.

Board discussion:

- Section #4.2 has been removed and consolidated into Section #4.1.

MOTION: Commissioner Brentano moved to approve the Intergovernmental Agreement with the City of Salem restating the relationship that forms the Mid-Willamette Cable Regulatory Commission. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:08:58)

HEALTH AND HUMAN SERVICES

2. Consider approval of the Intergovernmental Agreement (IGA) with the Oregon Health Authority in the amount of \$2,156,937 for the financing of public health services through June 30, 2021. –Cary Moller and Katrina Rothenberger

Summary of presentation:

- Additional amendments to the agreement are anticipated once the state budget is approved:
 - Last biennium there were approximately 18 amendments.
- The IGA includes twelve program elements;
- Changes that have been made with the Oregon Health Authority include the following:
 - The language around contract monitoring;
 - Revised revenue and expenditure reporting; and
 - Clear time lines around due dates.
- Language and timelines were aligned for all agreements across local public health authority's tribal and community mental health programs for the following:
 - Overexpenditures;
 - Misexpenditures; and
 - Under expenditures.
- Another ongoing change for each program element is to align the language with public health modernization:
 - Identifying how the provided service aligns foundational programs and capabilities; and
 - Establishing performance and accountability measures.
- Foundational programs for the public health systems core work include the following:
 - Communicable disease control;
 - Prevention and health promotion;
 - Environmental health; and
 - Ensuring access to clinical preventive service.
- The foundational capabilities include the knowledge, skills, and abilities needed to successfully implement the foundational programs;
- Changes have been made to the funding models;
- Income for tuberculosis treatment and daily observed therapy is now being received on a case by case basis;
- More funding is received when there is an increase in incidents of disease; and
- The staff is undergoing cross-training to ensure that employees are able to work in multiple areas when responding to communicable disease threats.

Board discussion:

- Impacts for income on a case by case basis include the following:
 - If there are no cases, then no income for services is being received; and
 - Counties that have a communicable disease threat are now receiving enough income to care for the population.

- Marion County has agreements with other counties to help with outbreak incidents if needed;
- Funding for 2019 is expected to be the same as the previous year;
- The legislature recently passed an increase for base funding for modernization;
- The total award amount for the program is \$15 million;
- The existing partnership expense with Polk County is estimated at \$440,000;
- The county may receive additional funding for the program; and
- The county is working to protect the entire health of the communities.

MOTION: Commissioner Brentano moved to approve the Intergovernmental Agreement with the Oregon Health Authority in the amount of \$2,156,937 for the financing of public health services through June 30, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:16:31)

PUBLIC WORKS

3. Consider approval of a resolution initiating amendments to the Marion County Code (MCC), Title #16 (Urban Zone Code) and Title #17 (Rural Zone Code) related to beekeeping in residential zones. –Joe Fennimore

Summary of presentation:

- The current code does not allow beekeeping in residential zones;
- In 2018, as a result of an enforcement action, the Oregon State Beekeepers Association requested the board consider the following:
 - Amending the code to allow beekeeping; and
 - To stay any enforcement action at that time.
- The board directed Public Works staff to prepare a policy on the issue;
- The drafted policy required code enforcement to work with the beekeepers association when a complaint was received;
- Public Works delayed bringing the policy before the board until it could be demonstrated that the policy would work in the current enforcement case;
- The issue was not resolved and the complaint remained open;
- In August, 2018, Public Works staff updated the board on the issue;
- The board chose not to adopt the policy;
- The board directed Public Works staff to encourage the beekeepers association to propose beekeeping amendments to the Marion County Planning Commission for consideration;
- In October, 2018, the planning commission held a work session for the issue;
- A recommendation was made to the board to allow beekeeping in residential zones;
- The recommendation was based off information presented at the work session by the beekeepers association:
 - It was not based off of a public hearing.
- Public Works staff had learned prior to the work session that the City of Salem was beginning their process to amend their code to allow for beekeeping in residential zones;

- In order to maintain consistency with the properties located inside the City of Salem Urban Growth Boundary, Public Works staff chose not to bring the matter back before the board until the City of Salem had completed its amendments process;
- On June 10, 2019, the City of Salem adopted amendments to the city code to allow beekeeping in residential zones subject to standards;
- At a public meeting on June 24, 2019, the board directed Public Works staff to prepare a resolution initiating amendments to the Zone Code, and referred the matter to the planning commission for a public hearing and recommendation;
- A resolution related to beekeeping in residential zones has been prepared for the boards consideration;
- The board has the following options:
 - To adopt the resolution as written;
 - Direct Public Works staff to modify the resolution and bring it back before the board; or
 - Take no action at this time.
- Staff recommends the board adopt the resolution as written.

Board discussion:

- The City of Salem Code allows the following:
 - Five hives on a property;
 - Up to seven hives are allowed between the months of April and August;
 - An adequate water supply must be available; and
 - Setback requirements must be met:
 - A 6-10 foot barrier must be installed if the hives are within 25 feet of the property line.
- No requirements for neighborhood density were listed in the City of Salem Code;
- The limitations on a neighbors' use of lawn chemicals was not addressed;
- The Marion County Planning Commission will not address this issue again unless requested by the board; and
- The county's intention is to stay consistent with the City of Salem's Urban Growth Boundary in regards to beekeeping in residential zones.

MOTION: Commissioner Brentano moved to approve a resolution initiating amendments to the Marion County Code (MCC), Title #16 (Urban Zone Code) and Title #17 (Rural Zone Code) related to beekeeping in residential zones. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:22:33)

SHERIFF'S OFFICE

4. Consider approval of the Memorandum of Understanding with the District Attorney's Office in the amount of \$214,682 to identify offenders with criminogenic risk factors through June 30, 2021. –Commander Jeff Wood

Summary of presentation:

- The Memorandum of Understanding (MOU) is between the Marion County Sheriff's Office and the Marion County District Attorney's Office;
- The MOU focuses on the Prison Diversion Program and is derived from Senate Bill 416:
 - The bill was first passed in the year 2011, but died later that same year.
- In 2012, the Marion County Sheriff's Office and the Marion County District Attorney's (DA) Office were approached by the Oregon Criminal Justice Commission to pilot a new Senate Bill 416 Prison Diversion Program:
 - The intention of the bill was to divert non-violent offenders away from prison sentences and into programs with the following:
 - Community support;
 - Treatment; and
 - Intensive supervision.
 - The program was launched on July 1, 2012;
 - The Criminal Justice Commission used unspent American Recovery and Reinvestment Act dollars to fund the program which pays for the following:
 - A deputy district attorney;
 - Supervision expenses;
 - A drug and alcohol counselor;
 - A drug and alcohol mentor; and
 - Five jail beds used for pre-trial and sanctioning purposes.
- The following steps are implemented to determine if an offender is eligible for the program:
 - The deputy district attorney uses motivational tools to screen the offender;
 - If selected, the DA's office sends a referral to the Sheriff's Office;
 - The Sheriff's Office performs additional screening; and
 - Once approved, support is received by the circuit court judges.
- The county's recidivism rate has decreased in the last ten years;
- The county's crime rates have not increased;
- The program is being modeled throughout Oregon; and
- Marion County's decreased prison utilization is one of the most significant in the state:
 - The county has seen a reduction in prison utilization over the last five years.

Board discussion:

- The program can include both men and women; and
- The program offers individuals an opportunity to turn their lives around.

MOTION: Commissioner Brentano moved to approve the Memorandum of Understanding with the District Attorney's Office in the amount of \$214,682 to identify offenders with criminogenic risk factors through June 30, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:29:30)

Recessed as Board of Commissioners
Reconvened as Contract Review Board

CONTRACT REVIEW BOARD
SHERIFF'S OFFICE

1. Consider approval of an order for a Special Procurement with 4M4 Solutions for Project Management Services related to the Marion County Records Management System/Jail Management System purchase and installation. –Undersheriff Troy Clausen and Camber Schlag

Summary of presentation:

Marion County Undersheriff Troy Clausen:

- The contract with 4M4 Solutions will help with the following:
 - Project management; and
 - Providing subject matter expertise.
- The Sheriff's Office needs to complete replacement of the following systems:
 - Jail management;
 - Records management; and
 - Patrol records management system.
- The current system has been in place for over 30 years:
 - It was initially developed for the jail;
 - The patrol division implemented the system for records management; and
 - The system was later developed for law enforcement records management.
- The current vendor is no longer supporting the initial system;
- The expense for a new system could be as much as \$2 million over the course of the time that it is deployed;
- The Sheriff's Office currently does not have staff with the knowledge base needed to implement a new system;
- The project can take 18 to 24 months to complete.
- 4M4 Solutions is familiar with the new system processes and can assist with the following:
 - Information Technology (IT) issues; and
 - Vendor issues.
- 4M4 Solutions has worked with other law enforcement agencies to assist with the following:
 - Jail management deployment;
 - Records management deployment; and
 - Partnering with the following to resolve issues:
 - IT Departments;
 - Finance departments; and
 - Legal departments.
- The Bureau of Justice Assistance has standard functional specifications for law enforcement records management systems;
- There are at least 25 areas, including some of the following, that need to be reviewed:

- Data migration;
- Legacy data; and
- Interfaces with some of the following:
 - Vendors;
 - The commissary;
 - Food at the jail;
 - Medical;
 - Search and rescue;
 - Civil;
 - Patrol oriented duties; and
 - Offender intake forms being used with other agencies.
- 4M4 Solutions will assist the Sheriff's Office with the following:
 - Staying on task;
 - Staying on time;
 - Staying under budget; and
 - Interfacing and working with the following:
 - Vendors;
 - Internal partners;
 - External partners;
 - The IT Department; and
 - The Legal Department.

Camber Schlag:

- The notice was posted on the Oregon Procurement Information Network (ORPIN) the week of June 24, 2019;
- No protests were received;
- The ORPIN posting is unlikely to encourage favoritism;
- The county has not been able to locate a company that can match the skills that 4M4 Solutions offers;
- The contract will provide a substantial cost savings; and
- Other law enforcement agencies working with 4M4 solutions have seen a 10 to 15 percent savings over their total budget.

Board discussion:

- The project is budgeted for fiscal year 2019;
- It is a multi-year project;
- It is important to maintain current records when transitioning over to a new system;
- 4M4 Solutions went through the same process with another law enforcement agency; and
- They are familiar with the following:
 - Jail transition;
 - Patrol transition;
 - Records transition; and
 - Civil transition.

MOTION: Commissioner Brentano moved to approve an order for a Special Procurement with 4M4 Solutions for Project Management Services related to the Marion County Records Management System/Jail Management System purchase and installation. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

Recessed as Contract Review Board
Reconvened as Board of Commissioners

PUBLIC HEARINGS
9:30 A.M.

None.

Commissioner Cameron read the calendar.
Commissioner Cameron adjourned the meeting at 9:50 a.m.



CHAIR



COMMISSIONER

Not Present At Meeting

COMMISSIONER

Board Sessions can be viewed on-line at
<https://www.youtube.com/playlist?list=PLSUQ1gg6M78UsBE3q6w4rdf59Z5rXkEi5>