

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, September 18, 2019
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

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

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

PUBLIC COMMENT

None.

PRESENTATION

(Video Time 00:00:48)

Flu shot presentation – Diana Dickey

Summary of presentation:

- Flu shots are recommended every year for individuals that are six months and older;
- Formulas change yearly to work in conjunction with the different flu strains that are occurring every season, and include the following:
 - A flu shot;
 - A flu mist in the form of a nasal spray for individuals ages 2-49; and
 - A high dose flu formula for individuals age 65 or older.
- Flu shots can be obtained at the following locations:
 - Pharmacies;
 - Care providers;
 - The Health and Human Services Department; and
 - Health clinics at a variety of locations for county employees.

Board discussion:

- Individuals under the age of 49 can receive a nasal flu mist instead of a flu shot;
- Individuals interested in receiving the flu mist can check with their care provider or local pharmacy for availability;
- The flu season can start in late August and last through the end of May of the following year; and
- It is never too late in the season to receive the flu shot.

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CONSENT

(Video Time 00:05:45)

INFORMATION TECHNOLOGY

Approve an order to revise Marion County Administrative Policy #705, Remote Access Control.

PUBLIC WORKS

Schedule a public hearing for October 9, 2019, to consider amendments to the Marion County Code (MCC), Title #16 (Urban Zone Code) and Title #17 (Rural Zone Code) related to beekeeping in residential zones, Legislative Amendment (LA) #19-003.

Receive hearings officer's decision upholding the planning director's decision revoking Conditional Use (CU) Case #16-014/Klopfenstein.

TAX OFFICE

Approve an order canceling uncollectable personal property tax accounts in the amount of \$37,927.87.

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

ACTION

(Video Time 00:07:07)

BOARD OF COMMISSIONERS

1. Consider approval of a proclamation designating the week of September 17-23, 2019, as Constitution Week in Marion County. –Day Westine, Chemeketa Chapter, National Society Daughters of the American Revolution

Summary of presentation:

- This was the 232nd year since the Constitution of the United States of America was signed;
- Every week the Chemeketa Chapter of the Daughters of the American Revolution display posters in various business windows and schools; and
- Teachers discuss the Constitution during the designated week of September 17-23.

Board discussion:

- It is important for citizens to understand the Constitution and how it guides us;
- Commissioner Cameron reflected on the history of the United States, what this country stands for and has gone through to allow citizens the freedom to make choices, and then he read the preamble of the United States Constitution; and
- Commissioner Willis shared a story from his past, and reflected on the freedoms citizens have with the United States Bill of Rights and the United States Constitution.

MOTION: Commissioner Willis moved to approve a proclamation designating the week of September 17-23, 2019, as Constitution Week in Marion County Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

The commissioners read the proclamation.

(Video Time 00:17:06)

FINANCE

2. Consider approval of the Tax Foreclosed and Surplus Real Properties sold at public auction held on September 10, 2019. –Camber Schlag and LeAnne Aurand

Summary of presentation:

- The board approved the public auction at a board session held on July 24, 2019;
- On September 10, 2019, the county held a public auction for the sale of tax foreclosed and surplus real properties;
- Six out of the seven properties up for auction were sold:
 - The total sale price for the six properties was \$298,096.
- The properties sold included the following:
 - Two properties were sold as one property located at 140 Palmer Street in Mount Angel, Oregon:
 - The minimum starting bid was \$215,595;
 - The property sold for \$215,595; and
 - The sale is on a contract for ten years with the county.
 - Two properties located at 20853 Filbert Street NE in Aurora, Oregon, were sold as one property:
 - A manufactured home is located on the property;
 - The minimum starting bid was \$66,848;
 - The property sold for \$69,000; and
 - The sale is on a contract for ten years with the county.
 - A vacant lot off of North Fork Road in Lyons, Oregon:
 - The minimum starting bid was \$270;
 - The property sold for \$7,000; and
 - The property was sold as a cash sale.
 - A vacant lot off of Santiam Highway in Idanha, Oregon:
 - The lot was marketed as a camping location;
 - The minimum starting bid was \$165;
 - The property sold for \$6,500; and
 - The property was sold as a cash sale.
- The auction was considered a success:
 - It had a record number of attendees; and
 - It had a record number of actual bidders.
- The Finance Department is requesting approval for the property sales; and

- The six properties would be put back on the tax rolls, and they will get dispersed between the taxing districts in the county.

Board discussion:

- Four properties were sold as two Land Sale Contracts:
 - 140 Palmer Street in Mount Angel, Oregon; and
 - 20853 Filbert Street NE in Aurora, Oregon.
- The county can re-foreclose on a property if the first payment is not received within 30 days.

MOTION: Commissioner Brentano moved to approve the Tax Foreclosed and Surplus Real Properties sold at public auction held on September 10, 2019
Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:21:29)

HEALTH AND HUMAN SERVICES

3. Consider approval of the Contract for Services with Constance Henderson, LLC in the amount of \$162,000 to provide Psychiatric Mental Health Nurse Practitioner (PMHNP) services through September 25, 2020. –Cydney Nestor

Summary of presentation:

- Ms. Henderson is a psychiatric nurse practitioner working in the county’s adult behavioral health program;
- She has been under contract with the county since October, 2017;
- Ms. Henderson provides some of the following services:
 - Psychiatric assessments; and
 - Prescriptions for psychotropic medications:
 - The medication is prescribed to individuals when appropriate; and
 - It is prescribed to individuals as part of their service delivery consultation.
- The service delivery consultation is provided by the following individuals working together in a team based environment:
 - A qualified mental health professional;
 - A qualified mental health associate; and
 - A peer.
- The Marion County Health and Human Services Department would like to continue the Contract for Services with Ms. Henderson.

Board discussion:

- Ms. Henderson works out of the Silverton Road field office.

MOTION: Commissioner Willis moved to approve the Contract for Services with Constance Henderson, LLC in the amount of \$162,000 to provide Psychiatric Mental Health Nurse Practitioner (PMHNP) services through September 25, 2020. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:23:28)

INFORMATION TECHNOLOGY

4. Consider approval of a Blanket Purchase Order Agreement with CDW Government LLC, in the amount of \$300,000 for the purchase of various Information Technology (IT) related hardware and services through June 30, 2020. –Scott Emry and Dave Reynolds

Summary of presentation:

- Mr. Emry introduced Mr. Dave Reynolds, a new contract specialist in the IT Department:
 - Mr. Reynolds was previously employed with the Oregon Department of Administrative Services.
- The IT Department annually requests to purchase technology products and services for the support of all the county's departments;
- CDW Government, LLC. is contracted through the Oregon State Masters Contracts, which provides standardized governmental pricing;
- The IT Department anticipates spending approximately \$300,000 for the 2019-20 fiscal year; and
- The \$300,000 will be used for some of the following:
 - Enterprise data storage for all the county's data;
 - Printers;
 - Scanners;
 - Back-up power supplies for the county's computers; and
 - Ergonomic work stations.

MOTION: Commissioner Brentano moved to approve a Blanket Purchase Order Agreement with CDW Government LLC, in the amount of \$300,000 for the purchase of various Information Technology related hardware and services through June 30, 2020. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:26:08)

PUBLIC WORKS

5. Consider approval of Amendment #2 to the Marion County Infectious Waste Disposal Agreement with Marion Recycling Center, Inc. dba Marion Environmental Services for the disposal of infectious waste within Marion County at the Energy-from-Waste Facility through September 20, 2020. –Brian May and Dennis Mansfield

Summary of presentation:

- Marion Environmental Services is the franchise hauler that handles the county's disposal of boxed medical waste;
- Amendment #2 extends the term of the current agreement to September 20, 2020;
- Marion Environmental Services has been operating since 1989 and currently serves 639 customers within the county; and
- Staff recommends approving Amendment #2 to the Marion County Infectious Waste Disposal Agreement.

Board discussion:

- The program allows the county to dispose of infectious waste locally versus sending it to the state of Utah;
- Approximately 600 tons of waste a year are disposed of through the program;
- Marion Environmental Services performs the following steps for the disposal of medical waste:
 - A medical provider contacts the company requesting services;
 - A list of services and information is provided to the customer;
 - A schedule for pickup of the infectious waste is determined;
 - A delivery van collects the infectious waste from the medical provider;
 - The waste is delivered to Covanta Marion, Inc.;
 - A scale attendant at Covanta Marion, Inc. checks the infectious waste in;
 - The infectious waste is taken to a tipping floor and put on a conveyor belt;
 - The infectious waste is metered; and
 - It is then fed into a boiler and incinerated.
- Incineration is the preferred method for the disposal of infectious waste in the state of Oregon;
- Medical providers within the county receive the following benefits from the program:
 - The convenience of local disposal;
 - It is more cost effective; and
 - The incineration process is safer for the public.
- With the agreement the county will pay \$87.45 a ton versus the estimated market rate of \$500 to \$600 a ton; and
- The county has a good working relationship with Marion Environmental Services.

MOTION: Commissioner Willis moved to Amendment #2 to the Marion County Infectious Waste Disposal Agreement with Marion Recycling Center, Inc. dba Marion Environmental Services for the disposal of infectious waste within Marion County at the Energy-from-Waste Facility through September 20, 2020. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:31:55)

6. Consider approval of Amendment #1 to the Contract for Services with Metro Metals Northwest, Inc. to add \$600,000 for a contract total of \$6,600,000 for the collection, hauling, and recycling of ferrous metals through September 20, 2020. –Brian May and Dennis Mansfield

Summary of presentation:

- Amendment #1 extends the term of the current agreement to September 20, 2020;
- The contract will go out for solicitation if the county decides to enter into a longer agreement;
- Metro Metals Northwest, Inc. collects the ferrous material that is recovered from the Energy-from-Waste Facility after it goes through the incineration process;
- The material is then hauled to Vancouver, Washington for processing;
- The company has been providing this service for the county for the last five years:
 - Over 40,000 tons of ferrous metal has been processed since 2014; and
 - In 2018, over 7,100 tons were processed.
- The county receives an estimated \$43,000 a month in revenue for the solid waste system;
- The revenue helps to off-set the incineration expense; and
- Staff recommends approving Amendment #1 to the Contract for Services with Metro Metals Northwest, Inc.

Board discussion:

- The ferrous metal is taken to a waste-to-energy facility for processing:
 - Firearms are also disposed of using this method.
- Benefits for incineration include the following:
 - There is a reduction in the volume of waste;
 - The ashes are a smaller particulate size;
 - Incineration allows for the recovery of metal; and
 - The waste is not going into a landfill.
- Metro Metals Northwest, Inc. has a grinding system that recycles the metal:
 - The material is then transported to a smelter within the United States; or
 - The material is exported to another county that has a need for the product.

MOTION: Commissioner Brentano moved to approve Amendment #1 to the Contract for Services with Metro Metals Northwest, Inc. to add \$600,000 for a contract total of \$6,600,000 for the collection, hauling, and recycling of ferrous metals through September 20, 2020. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:36:22)

7. Consider approval of Amendment #8 to the Contract for Services with Pacific Sanitation, Inc. to add a sixteen percent rate increase for an estimated \$122,000 for the hauling of ash generated at the Energy-from-Waste Facility through September 20, 2020. –Brian May and Dennis Mansfield

Summary of presentation:

- Pacific Sanitation, Inc. is the county's franchised hauler that transports ash residue to the Coffin Butte Landfill or to the county's ash monofill;
- Over 36,000 tons of ash was hauled in 2018;
- Amendment #8 to the Contract for Services extends the contract to September 20, 2020, and allows for a 16% rate increase:
 - The county has not received a rate increase in over three years.
- The ash is very abrasive and requires specialized garbage equipment to help slow down the rate of equipment break down;
- A pending contract with Covanta Marion, Inc. is impacting contracts with other companies; and
- If the contract with Covanta Marion, Inc. is renewed, then the county will review the possibility of new equipment.

Board discussion:

- The ash is used for daily cover and to offset the use of clean soils; and
- Funding for Amendment #8 will come out of the Environmental Services budget and will not impact county residents.

MOTION: Commissioner Willis moved to approve Amendment #8 to the Contract for Services with Pacific Sanitation, Inc. to add a sixteen percent rate increase for an estimated \$122,000 for the hauling of ash generated at the Energy-from-Waste Facility through September 20, 2020. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:39:41)

8. Consider approval of Amendment #4 to the Contract for Services with Covanta Marion, Inc. for additional terms and conditions and extend the services for the supply and processing of solid waste through September 20, 2020. –Brian May and Dennis Mansfield

Summary of presentation:

- Covanta Marion, Inc. has been incinerating the county's waste for over 30 years;
- Services the company provides for the county include the following:
 - Incinerates approximately 170,000 tons of waste annually;
 - Produces 13.1 megawatts of electricity;
 - Recovers over 7,000 tons of ferrous metal;
 - Recovers over 400 tons of nonferrous metal;
 - Handles 600 tons a year of in-county medical waste; and
 - Handles an estimated 300 tons a year for weapons destruction from police departments' state wide.
- The county currently generates an estimated 6,000 tons annually of supplemental waste;
- Amendment #4 to the Contract for Services provides the following:
 - Extends the term of the contract to September 20, 2020;
 - Sets a limit of 7,000 tons of material for the supplemental waste program:

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- Sets a rate of \$100 per ton that the county will receive for each ton processed in the supplemental waste program; and
 - Sets a penalty of \$150 per ton the county will receive for any supplemental waste that exceeds the 7,000 tons.
- Reduces the limit to 13,500 tons for medical waste originating outside Marion County:
 - Sets a rate of \$250 per ton that the county will receive for medical waste originating outside the county; and
 - Sets a penalty of \$550 per ton the county will receive for any waste originating outside the county that exceeds the 13,500 tons.
- Changes the responsible party from Marion County to Covanta Marion, Inc., and makes Covanta Marion, Inc. liable for any changes in law; and
- Allows time for Covanta Marion, Inc. to solicit the Oregon legislature for renewable energy credits:
 - The credits help to reduce the cost for customers.

Board discussion:

- The federal government, Europe, and 36 other states within the United States recognize energy-from-waste as being renewable;
- Currently Oregon legislature does not recognize energy-from-waste as being renewable:
 - This is the reason that the county has entered into a one year contract with Covanta Marion, Inc.;
 - The program's future will be uncertain if the county's renewable energy credits are denied;
 - The county may have to haul the waste to a landfill in Arlington, Washington:
 - Twenty-seven truckloads a day will need to be hauled; and
 - 9,800 truckloads a year of waste will be taken to the landfill.
 - The emissions gas from diesel trucks, and the methane generated by the raw garbage, will impact the state's carbon foot print.
- Medical providers and law enforcement agencies rely on the services that Covanta Marion, Inc. provides; and
- The program currently generates enough electricity to power a city the size of Woodburn.

MOTION: Commissioner Brentano moved to approve Amendment #4 to the Contract for Services with Covanta Marion, Inc. for additional terms and conditions and extend the services for the supply and processing of solid waste through September 20, 2020. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous

(Video Time 00:50:55)

9. Consider approval of a Purchase Order with Potters Industries, LLC in the amount of \$175,000 for the purchase of reflective marking spheres through June 30, 2020, for use in roadway striping. –Scott Wilson

Summary of presentation:

- The Public Works Department maintains roadway lines throughout the county;
- Paint and reflective marking spheres, also known as beads, are applied to enhance the visibility of the lines in low visibility conditions;
- The Purchase Order allows the Public Works Department to continue to purchase the beads that will be added to the paint;
- The beads are purchased under Oregon State Pricing Agreement #9265;
- The Purchase Order request is for \$175,000;
- Financial impacts have been reviewed and the expense has been included in the Public Works Department's Fiscal Year 2019-20 budget as a maintenance item;
- There are no impacts to other departments within the county;
- The purchase of the beads allows the Public Works Department to continue striping roads for the county, and also for external agencies;
- Reflective striping provides the following:
 - Enhances safety for the traveling public; and
 - It is a current source of revenue for the Public Works Department.
- Options for the board to consider include the following:
 - Approve the Purchase Order and allow the Public Works Department to continue to purchase the beads from Potters Industries, LLC; or
 - Deny approval of the Purchase Order and direct the Public Works Department to source an alternative product.
- Staff recommends the board approve the Purchase Order and allow the Public Works Department to continue purchasing the beads from Potters Industries, LLC.

Board discussion:

- The beads are applied during the paint striping process;
- The striping process enhances road safety; and
- Commissioner Willis commended Mr. Wilson for his leadership and the open dialogue he has with his team.

MOTION: Commissioner Willis moved to approve a Purchase Order with Potters Industries, LLC in the amount of \$175,000 for the purchase of reflective marking spheres through June 30, 2020, for use in roadway striping. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:54:23)

10. Consider approval of the Purchase Order Contract with Withnell Dodge in the amount of \$137,954.37 for the purchase of six Dodge Charger Interceptors as part of the annual scheduled light duty replacement plan for the Marion County Consolidated Fleet Management Fund. – Dennis Mansfield

Summary of presentation:

- The purchase of the six vehicles are part of the county's annual scheduled light duty replacement plan;
- The county utilizes a Cooperative State Pricing Agreement that Withnell Dodge is affiliated with;
- The board has the following options:
 - Approve the Purchase Order for six vehicles from Withnell Dodge; or
 - Deny approval of the Purchase Order.
- Staff recommends the board approve the Purchase Order;
- In August, 2019, the board approved the purchase of several Ford vehicles from a dealership located outside the county, as part of the scheduled replacement plan;
- The Public Works Department uses dealerships that are associated with the state's pricing agreement whenever possible, before obtaining quotes or proposals from dealerships not associated with the program;
- In August, 2019, there were no dealerships within the county that were a part of the state's pricing agreement;
- Manufacturers have a limited number of vehicles they will produce and Purchase Orders are processed in the order that they are received;
- If the county does not place their order in a prompt manner, they risk not being able to purchase vehicles under the state's pricing agreement;
- Vehicles purchased from dealerships not affiliated with the state's pricing agreement are significantly higher in price, and they are not built to the county's specifications;
- The vehicles need to be received in time to allow them to be outfitted and road ready by the end of the fiscal year;
- All dealerships that submitted a bid for the state's price agreement were awarded;
- There were no Ford dealerships located within Marion County that submitted a bid; and
- The county is receptive to receiving quotes or proposals from dealerships in the future.

Board discussion:

- The Dodge Charger Interceptors are sedan style vehicles that will be used for the Sheriff's Office;
- The vehicles approved in August, 2019, were sport utility vehicles that were also for the Sheriff's Office;
- Commissioner Cameron stated for the record that he serves on several boards with Mr. Withnell; and
- The county's preference is to do business with companies located within Marion County whenever possible.

MOTION: Commissioner Brentano moved to approve the Purchase Order Contract with Withnell Dodge in the amount of \$137,954.37 for the purchase of six Dodge Charger Interceptors as part of the annual scheduled light duty replacement plan for the Marion County Consolidated Fleet Management Fund. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous

(Video Time 01:01:31)

11. Consider approval of the incoming funds Project Grant Agreement with Western Federal Lands Highway Division in the amount of \$864,635 for the chip sealing of North Fork Road and Gates Hill Road. –Scott Wilson and Ryan Crowther

Summary of presentation:

- The Public Works Capitol Project’s Team will be responsible for the project’s design and permitting;
- The Public Works Operation’s Team will be performing the work;
- The project is located in eastern Marion County and will entail the following work areas:
 - Milepost 0.0 to milepost 15.2 on North Fork Road; and
 - Milepost 0.0 to milepost 3.8 on Gates Hill Road.
- The scope of the project includes the following:
 - Chip seal treatments on both roadways;
 - Preliminary work to prepare for the chip seal;
 - Vegetation control;
 - Shoulder preparation;
 - Crack sealing and asphalt patching; and
 - Culvert replacement.
- Finish work after the chip seal process is completed includes the following:
 - A fog seal application;
 - Centerline striping; and
 - Shoulder striping.
- The estimated budget for the project is \$1,436,275:
 - The federal share will be \$864,635; and
 - The county’s share will be \$571,640.
- The preliminary design is scheduled for completion in the fall of 2019;
- The preliminary design will be used for the environmental permitting which is scheduled for winter of 2019;
- The completed design is scheduled for spring of 2020;
- The operations team will construct the project in the spring and summer of 2020 in conjunction with the chip sealing program; and
- Staff recommends approval of Project Grant Agreement with the Western Federal Lands Highway Division.

Board discussion:

- The county’s portion of \$571,640 will be utilized for the following:
 - Staff work time for the project; and
 - Equipment usage.
- The federal portion of \$864,635 is intended to cover material expenses;

- Commissioner Cameron would like the Public Works staff to discuss with the Oregon Department of Forestry the possibility of repairing the state's portion of the road that extends up to the Opal Creek Wilderness area; and
- It is anticipated that the project will be completed in July, 2020.

MOTION: Commissioner Willis moved to approve the incoming funds Project Grant Agreement with Western Federal Lands Highway Division in the amount of \$864,635 for the chip sealing of North Fork Road and Gates Hill Road. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 01:06:52)

SHERIFF'S OFFICE

12. Consider approval of the Contract for Services with Dr. Lance Loberg, M.D. in the amount of \$522,000 to provide physician services for the Marion County Jail and the Marion County Juvenile Detention Center through June 30, 2022. – Commander Tad Larson and Lieutenant Kate Abraham

Summary of presentation:

- The contract is a collaborative agreement to provide physician services to the Marion County Jail and the Marion County Juvenile Detention Center;
- Dr. Lance Loberg is the current medical provider;
- Dr. Loberg is credentialed with Salem Health Hospitals and Clinics with the intent of maintaining the continuity of care between prison custody and the community;
- He provides services to jail inmates twice a week as needed, and is on call for consultation twenty-four hours a day, seven days a week; and
- Nurse Practitioner Donna Millan works alongside Dr. Loberg.

Board discussion:

- The contract has a three year term;
- Dr. Loberg works at the Juvenile Detention Center at least one day a week;
- The juvenile facility has a smaller population and may require fewer services; and
- The on-call service is the most valuable aspect of the contract and is used on a daily basis.

MOTION: Commissioner Brentano moved to approve the Contract for Services with Dr. Lance Loberg, M.D. in the amount of \$522,000 to provide physician services for the Marion County Jail and the Marion County Juvenile Detention Center through June 30, 2022. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous

(Video Time 01:09:36)

13. Consider approval of the incoming funds Intergovernmental Agreement (IGA) with the Oregon Department of Corrections for the 2019-21 biennium ending June 30, 2021, in the amount of \$486,905 to divert qualified offenders with custody of minor children from prison to probation with the intent of keeping families intact. – Undersheriff Jeff Wood and Commander Kevin Karvandi

Summary of presentation:

- The IGA with the Oregon Department of Corrections (DOC) is to extend and continue the county's Family Sentencing Alternative Program (FSAP), which was launched in 2016;
- The program originated in 2015 under Oregon Legislative House Bill 3503 and was modified in 2017 under Oregon Legislative House Bill 3078;
- In 2015 there was a high level of female population within the Oregon DOC with children that would be impacted by incarceration:
 - The Sheriff's Office started engaging in a number of prison diversion efforts for parents with custody of children.
- The county has had a Drug Endangered Children's Unit for 15 years that collaborates with the following:
 - Dependency courts in the juvenile system;
 - The District Attorney's Office;
 - The Department of Human Services; and
 - Treatment providers.
- Marion County is one of five counties within the state of Oregon that applied for and received funding to address the inter-generational cycle of criminality within families;
- Benefits to the program include the following:
 - Probation Officers are involved in the program;
 - It allows for shared and coordinated case planning;
 - Provides an effective intervention for the parents and children that are impacted by incarceration; and
 - Allows the families to remain together during the incarceration period.
- Collaboration between the following entities has had a positive effect on the FSAP:
 - The Sheriff's Office;
 - The District Attorney's Office;
 - The Department of Human Services Child Welfare; and
 - Bridgeway Recovery Services.
- Recidivism data shows improvement in the following areas:
 - Arrests;
 - New convictions;
 - Misdemeanor felonies; and
 - New felony incarcerations in prison.
- The Sheriff's Office hopes to continue FSAP.

Board discussion:

- The FSAP and the Justice Reinvestment Program require separate funding;
- The FSAP has been in effect for four years;

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- The county is receiving \$15,000 to \$20,000 less in funding for the 2019-21 biennium;
- An estimated 20 to 30 individuals participate in the program every year;
 - The individuals must be a nonviolent property or drug offender with custody of a minor child;
 - Selected participants in the program must go through a screening process with the District Attorney's Office and the Sheriff's Office;
 - Individuals not selected for the program may have to serve a prison sentence:
 - Reentry programs are available upon their release from incarceration.
- The program focuses on the following:
 - Keeping the families intact;
 - Keeping the children out of foster care; and
 - Keeping the children from following the same criminal path as their parent.
- The enhanced supervision of a designated probation officer and other collaborative partners are necessary for the success of the program;
- A Sheriff's Office Deputy and a Department of Human Services (DHS) Case Worker work collaboratively together to ensure the safety of a minor child;
- The staff that supervise and manage the program are paid internally;
- The probation officers in the program receive specialized training:
 - With their training they are able to interact with the children and engage the entire family.
- The commissioners expressed concern with maintaining the same case load with less funding.

MOTION: Commissioner Willis moved to approve the incoming funds Intergovernmental Agreement with the Oregon Department of Corrections for the 2019-21 biennium ending June 30, 2021, in the amount of \$486,905 to divert qualified offenders with custody of minor children from prison to probation with the intent of keeping families intact. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 01:22:46)

14. Consider approval of the incoming funds Intergovernmental Agreement (IGA) with the Oregon Department of Corrections (DOC) for the 2019-21 biennium ending June 30, 2021 in the amount of \$1,011,639 to provide addiction treatment to offenders that are at risk of offending again. –Undersheriff Jeff Wood and Commander Kevin Karvandi

Summary of presentation:

- The IGA is part of Measure 57 funding:
 - A voter mandate initiative passed in 2008 that changed sentencing laws for specific drug and property crimes.
- Measure 57 authorizes the DOC to provide grants to counties that address addiction treatment for the offender population on probation;

- The county collaborated with Chemeketa Community College and started the Student Opportunity for Achieving Results (SOAR) program that provides treatment programming related to the following:
 - Support;
 - Mentoring;
 - Addiction treatment;
 - Skills training;
 - Referrals; and
 - Employment.
- Measure 57 funding pays for a portion of the SOAR Program;
- An estimated 700 individuals have participated in SOAR with 58 percent of the individuals completing the program; and
- The county has seen a reduction in the recidivism rate.

Board discussion:

- The funding level for the program is the same level that was received in the previous biennium.

MOTION: Commissioner Brentano moved to approve the incoming funds Intergovernmental Agreement with the Oregon Department of Corrections for the 2019-21 biennium ending June 30, 2021 in the amount of \$1,011,639 to provide addiction treatment to offenders that are at risk of offending again. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous

PUBLIC HEARINGS

9:30 A.M.

(Video Time 01:30:03)

PUBLIC WORKS

A. Public hearing to consider the appeal of the hearings officer's decision denying Conditional Use/Variance (CU/V) Case #19-010/Maddux. –Joe Fennimore.

Summary of presentation:

- The request is for a conditional use permit and variance to convert an existing pool house into a temporary dwelling for medical hardship purposes;
- The dwelling is on a 19-acre parcel located in an Exclusive Farm Use Zone on Parker Lane in Turner;
- The original building contained the following:
 - Changing rooms;
 - Bathrooms;
 - A gathering room; and
 - A pool mechanical room.
- Modifications were made that converted the original building into a dwelling:
 - Permits were never obtained for the modification.

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- The applicant is requesting to use the building as a temporary residence to house two family members with medical conditions who are no longer able to care for themselves;
- The hearings officer held a public hearing on April 10, 2019;
- On August 1, 2019, the hearings officer issued a decision denying the applicant's request and stated the following:
 - The applicant failed to prove that a satisfactory on-site wastewater disposal service was available;
 - The applicant's intent to sell the property would provide insufficient time for removal of the dwelling; and
 - Insufficient evidence was provided to meet each of the variance criteria.
- The applicant appealed the decision on August 7, 2019, and stated the following:
 - No septic issues have arisen in the building during occupancy;
 - The property is no longer for sale;
 - It is the property owner's intent to live on the property as long as possible; and
 - The property owners plan to decommission the dwelling once the hardship no longer exists.
- The board has the following options:
 - Continue the public hearing;
 - Close the public hearing and leave the record open;
 - Close the public hearing and approve, modify, or deny the request; or
 - Remand the matter back to the hearings officer.
- Staff recommended some of the following conditions be met if the board decides to approve the request:
 - Applicant must obtain all permits required from building inspection; and
 - Applicant must file a Removal Agreement and convert the building to a nonresidential use once the hardship no longer exists.

Testimony:

Support:

Eric Maddux:

- Mr. Maddux stated their intent is to remain on the property and that they will not be relocating;
- He stated they were trying to keep the family members together and farm their land:
 - The farm land is needed for income;
 - Moving a manufactured home structure onto the property would take up land designated for farming;
 - A manufactured home structure would require a greater distance between the two living facilities; and
 - The close proximity of the two living facilities allows the family to work together to assist with the care of family members.

Board discussion:

- Mr. Maddux has owned the property for four years;

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- He obtained all the required permits before building a pool house on the property;
- Mr. Maddux stated the pool was never installed due to a bankruptcy of the family business;
- Mr. Maddux stated the following:
 - His intent is to use the dwelling currently on the property;
 - He would like to refrain from spending more money for the purchase a manufactured home; and
 - He would like to refrain from using farm land to house a manufactured home structure.

Support:

Doris Hutmacher:

- Ms. Hutmacher stated that the close proximity of the current living arrangement has been working well for the family;
- The pool house replaced an existing accessory building and was built with the same footprint;
- Ms. Hutmacher stated that she has an existing health condition and that she also cares for a grandchild with a health condition; and
- Ms. Hutmacher stated that there have been no issues with the septic system.

Board discussion:

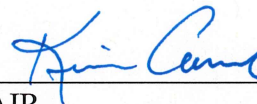
- Ms. Hutmacher and two of her grandchildren have lived in the pool house structure for approximately two years;
- The pool house has been modified with closet storage and a cooktop to accommodate the current living situation;
- Mr. Maddux stated he was informed that the current living situation needs to be approved by the board before any additional permitting is approved;
- Mr. Maddux stated he accepts the conditions proposed by public works and he is open to working with the county to get everything legally permitted;
- Mr. Fennimore stated additional work may be needed for the septic system:
 - A permit will need to be obtained before a septic specialist will perform an analysis; and
 - Once the analysis is completed, the applicant will need to purchase the required permits before any work can be performed.
- The structure will be considered a temporary home:
 - The applicant will receive a notice each year when it is time to renew the permits; and
 - The applicant will be given a document that requires converting the structure back into a pool house once it is no longer needed as a temporary home.
- The septic system's footprint is for a pool house:
 - The Department of Environmental Quality rules will change once bedrooms are added to the structure; and

- It was stated that the on-site waste water specialist felt there was enough room in the system to make changes if needed.
- Mr. Fennimore stated he will come back with a board order at a future board session.

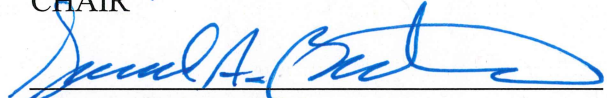
MOTION: Commissioner Willis moved to close the public hearing and approve the application subject to the proposed conditions outlined by staff for Conditional Use/Variance (CU/V) Case #19-010/Maddux. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

Commissioner Willis read the calendar.

Commissioner Cameron adjourned the meeting at 11:01 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

Board Sessions can be viewed on-line at

<https://www.youtube.com/playlist?list=PLSUQ1gg6M78UsBE3q6w4rdf59Z5rXkEi5>