

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, July 2, 2014
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Sam Brentano, Commissioner Janet Carlson, and Commissioner Kevin Cameron. Also present were John Lattimer as chief administrative officer, Gloria Roy as county counsel and Kim Hulett as recorder.

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

PUBLIC COMMENT

None.

CONSENT

ASSESSOR

Approve an order reappointing Dennis Taylor to the Farm Review Board for a term ending June 30, 2016.

BOARD OF COMMISSIONERS

Approve a memorandum of understanding for disbursement of Oregon State lottery funds to the following companies: SEDCOR \$175,000; Travel Salem \$100,000; and, GROW North Santiam \$60,000.

COMMUNITY SERVICES

Approve an order reappointing Gladys Blum, Sam Brentano, Faye Fagel, Krina Lee, and Pete McCallum to the Marion County Children and Families Commission to terms ending June 30, 2018.

HEALTH DEPARTMENT

Approve amendment #15 to add \$614,509 to the agreement with the Oregon Health Authority for financial assistance to operate community addictions and mental health services.

PUBLIC WORKS

Notice of bid award to R&R General Contractors, Inc. for \$1,428,000 for the Auburn Road/Lancaster/Baldwin Avenue sidewalks and bike lane project.

Notice of bid award with Blackline, Inc. for \$123,051.75 for the furnishing and applying Type II Slurry Seal on various Marion County road projects.

Notice of bid award for Babb Construction Co. for \$1,142,173.27 for the Wipper Road/Perrin Irrigation Canal Bridge project.

SHERIFF

Approve contract with Bridgeway Recovery Services for \$54,080 to provide evidence-based system of substance abuse treatment for adult offenders.

Approve contract with Northwest Human Services for \$101,045 to perform psychiatric assessments for parole and probation clients.

Approve amendment #1 with Bridgeway Recovery Services for \$129,395 to provide evidence-based practices to adult offenders and extend agreement until June 30, 2015.

Approve an intergovernmental agreement with the Oregon State Marine Board for \$149,331 to provide patrol services on Oregon's waterways.

Approve amendment #2 with Keefe Commissary Network to renew for an additional two-year term through June 30, 2016, for food services, commissary services and inmate trust fund management.

Approve amendment #3 with the City of Sublimity for \$157,304 to provide patrol services throughout the city and extend agreement until June 30, 2015.

TAX COLLECTOR

Approve an order designating the Woodburn Independent as the newspaper for publication of the Marion County Tax Foreclosure list.

TREASURER

Approve a resolution eliminating the change funds for the East and North Marion Justice Courts in the amount of \$700.

Approve resolutions eliminating the following petty cash funds:

- East Marion Justice Court – \$250
- Elections Division of the Clerk's Office - \$100; and
- Health Department, Cottages Program - \$50.

Approve a resolution establishing a change fund of \$300 for the Marion County Justice Court.

Approve a petty cash account for \$250 for the Health Department, CAPS Division.

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

ACTION

Video Time (00:04:48)

COMMUNITY SERVICES

1. Consider adoption of an ordinance revising and updating the Marion County Code Chapter 6.05 relating to dog control, by emergency procedure. – Tami Goettsch, Sonya Pulvers, Bruce Armstrong

Summary of presentation:

- Ordinance amends Marion County Code Chapter 6.05 to include animal rescue entity registration and enforcement;
- Revision process:
 - May 6, 2014, work session;
 - June 16, 2014, Management Update meeting; and
 - Before the board today for approval.
- Senate Bill 6:
 - Passed in 2013;
 - Increased criminal penalties for animal abuse/neglect cases;
 - Requires counties to regulate/inspect animal rescue entities:
 - An individual/organization that keeps, houses, and maintains in its custody 10 or more animals and solicits/accepts donations:
 - Includes Marion County Animal Shelter and Humane Society; and
 - Boarding kennels regulated separately.
 - Establishes record-keeping requirements; and
 - Did not establish habitability standards for keeping animals.
- Clarification added in revised/updated ordinance for “custody” which includes both legal and physical.

Board discussion:

- Outreach:
 - Marion County Dog Services and Marion County Sheriff’s Office - Code Enforcement to do education process:
 - Media releases;
 - Letter sent to known animal rescue entities; and
 - Positive communication with people involved with animal rescue entities.
- Penalties:
 - Entities that do not register with Marion County may be cited into justice court; and
 - Maximum penalty \$500.
- Basic requirements:
 - Register with county;
 - Maintain specific records for each animal; and
 - Allow Marion County representatives to enter/inspect premises/record-keeping for compliance.
- Confirmed that an individual/organization that keeps, houses, and maintains in its custody 10 or more animals, but does not solicit donations does not have to register with the county;

- Consequences if county does not implement registration program:
 - Public relation issues; and
 - Writ of mandamus could be filed.
- Confirmed no state funding provided to implement program:
 - Provision allows county to charge “reasonable fee” to offset costs; however, to capture actual costs would require higher than staff is proposing.
- Approximately 30 known animal rescue entities operating in Marion County;
- Legislation:
 - Lowers burden to prove abuse/neglect:
 - Allows county to determine who is soliciting donations in order to obtain warrant to access property.
 - Issues requiring clarity:
 - Animal foster homes not specifically listed in legislation; however, listed in county’s ordinance;
 - Licensing versus registration. More comfortable with registration process; and
 - Multi-year licensing. Legislation implies annual process.
 - Statewide legislation is not the correct way to deal with individual problem.
- Oversight:
 - No state agency oversees program; and
 - Authority delegated to county.

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

Commissioner Brentano read the ordinance by title only twice.

MOTION: Commissioner Cameron moved adoption of an ordinance revising and updating the Marion County Code, Chapter 6.05 relating to dog control, by emergency procedure. Seconded by Commissioner Carlson; motion carried. A voice vote was two for; one against. Commissioner Brentano voted against.

Video Time (00:32:46)

2. Consider approval of an order establishing animal rescue entity registration fees for Marion County Dog Services. – Tami Goettsch, Sonya Pulvers, Bruce Armstrong

Summary of presentation:

- Ordinance revising/updating Marion County Code Chapter 6.05 has been adopted:
 - Section 6.05.300 Animal Rescue Entity – Registration, establishes that Marion County Board of Commissioners will establish a reasonable fee:
 - Proposed fee is \$125.00 for initial one-year certificate of registration; and
 - \$125 for two-year renewal.
- Marion County Dog Services determined \$125 is reasonable/affordable fee:
 - \$125 does not cover all administrative costs.

Board discussion:

- Database infrastructure:
 - Approximately \$5,000 to incorporate program into database; and
 - Using separate spreadsheet to track.
- Aligning length of registration period with length of dog license renewals;
- Additional discussion regarding fees needed:
 - Staff to provide analysis used to determine fee; and
 - Provide additional proposals.
- Board to be updated on animal rescue entity registrations;
- Concern regarding fiscal impact:
 - State's fiscal impact statement reads, "The fiscal and revenue impact to local government as a result of this measure is indeterminate."

MOTION: No action taken. Further discussion at July 7, 2014, Management Update meeting.

Video Time (00:44:37)

JUVENILE/SHERIFF

3. Consider approval of a proclamation designating July 13-19, 2014, as Parole and Probation Officer Week in Marion County. – Chuck Sybrandt, Commander Jeff Wood

Summary of presentation:

- Parole and probation has played vital role in criminal justice system since 1841;
- Marion County Parole and Probation Division:
 - Prevent criminal activity/support reformative process;
 - Supervises approximately 3,700 individuals;
 - Engaged in Evidence Based Practices (EBP) to reduce recidivism and enhance public safety;
 - Transitional Services Unit nationally recognized:
 - Awarded three-year grant from Bureau of Justice Assistance for people who have co-occurring mental health and drug/alcohol issues.
 - Senate Bill 416 pilot program now statewide model prison diversion program;
 - Jail reentry program to go online later this month;
 - Fantastic leadership, community, and support;
 - Staff does an excellent job and makes a difference in the community;
 - Now working intently with youth using EBP:
 - Alternative program provides development through work and restitution to victims;
 - Early intervention program targets youth 9 to 13; and
 - Recognized peer courts.
 - Thanked board for many years of support.

Board discussion:

- Thanked parole and probation officers;
- Critical to keeping community safe and making people realize their potential; and
- Marion County has wonderful parole and probation staff.

MOTION: Commissioner Carlson moved approval of a proclamation designating July 13-19, 2014, as Parole and Probation Officer Week in Marion County. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

The commissioners then read the proclamation.

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

None.

Commissioner Brentano read the weekly calendar.

Commissioner Brentano adjourned the meeting at 10:07 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

Board Sessions can be viewed on-line at <http://www.youtube.com/watch?v=ErXiZtRT8p4>.