

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, March 1, 2017
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

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

ABSENT: Commissioner Janet Carlson

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

PUBLIC COMMENT

(Video Time 00:00:50)

David Beem:

- Advocate for the special needs population in Salem;
- Has submitted a bill in the state legislature for a drop-in center for mentally ill and disabled people to get services after 5:00 p.m.:
 - Would like the program to be funded for six months;
 - A lot of mentally disabled persons in Marion County cannot read or write; and
 - Asking for the commissioner's support on this bill.
- Would like a taskforce to be set up to look into healthcare needs for the mentally disabled in adult foster homes.

CONSENT

(Video Time 00:04:28)

BUSINESS SERVICES

Approve an order appointing Denyc Boles to the Marion County Budget Committee with a term ending June 30, 2019.

SHERIFF'S OFFICE

Approve Amendment #2 to the Contract for Services with Mid-Willamette Valley Community Action Agency to add \$15,000 for Navigator services to the Parole and Probation clients at the Marion County Transition Center.

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

ACTION

(Video Time 00:05:17)

BUSINESS SERVICES

1. Consider approval of the Construction Manager/General Contractor agreement with Emerick Construction Company for Sheriff's Office Central District Office and Parole and Probation new construction. Agreement amount is \$56,200 for pre-construction services; target guaranteed maximum price is \$9,500,000. Construction shall be completed by May 2018. – Colleen Coons-Chaffins, Camber Schlag

Summary of presentation:

- In August 2016, a Request for Proposals (RFP) was issued;
- Four responses were accepted; and
- On November 2016, the contract was awarded to Emerick Construction Company.

Board discussion:

- The commissioners are excited that an Oregon contractor was selected.

MOTION: Commissioner Cameron moved for approval of the Construction Manager/General Contractor agreement with Emerick Construction Company for Sheriff's Office Central District Office and Parole and Probation new construction. Agreement amount is \$56,200 for pre-construction services; target guaranteed maximum price is \$9,500,000. Construction shall be completed by May 2018. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:10:00)

PUBLIC WORKS

2. Consider an order approving Conditional Use (CU) Case #16-014/Klopfenstein. – Joe Fennimore

Summary of presentation:

- A Conditional Use to amend a condition on a previous Conditional Use case;
- Conditional Use 78-80 approved a farm machinery repair business on a one acre parcel on an Exclusive Farm Use (EFU) Zone on Selah Springs Road:
 - Included an employee cap of two; and
 - Did not allow the repair of automobiles.
- This request is to modify conditions to allow more employees and the repair of some non-farm related vehicles;
- Planning Director issued a decision approving the request subject to meeting certain conditions;
- The applicant objected to two of the conditions and appealed the decision to the hearings officer;
- The hearings officer held a public hearing on September 7, 2016:
 - On November 3, 2016, issued a decision denying the request after finding the conditional use was discontinued for a period of more than six months;

- The hearings officer's decision was appealed to the board, who held a public hearing on January 18, 2017:
 - The applicant presented evidence that the Conditional Use was never discontinued; and
 - The board reversed the hearings officer's decision and approved the request subject to conditions:
 - Limit the number of employees to six;
 - Limits the income generated by the repair of non-farm related vehicles to no more than 25 percent of the gross sales;
 - Requires the operator to maintain detailed information of repairs and submit information to the Planning Division;
 - If the sales fall below 75 percent in any particular year, that in itself will not be grounds to terminate the conditional use or disallow the use unless it falls below 51 percent; and
 - If the business meets 75 percent for three years in a row, the reporting is no longer required.
- Staff recommends the order be approved as written.

MOTION: Commissioner Cameron moved for approval of an order approving Conditional Use (CU) Case #16-014/Klopfenstein. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:14:00)

3. Consider adoption of an administrative ordinance granting Zone Change/Comprehensive Plan Amendment (ZC/CP) 15-001/Coastal Forest Products, LLC. – Joe Fennimore

Summary of presentation:

- Request to change the comprehensive plan designation from Primary Agricultural to Industrial;
- Change the zone from EFU to Industrial on 6.25 acres located on Portland Road NE, Salem;
- The hearings officer held a public hearing on August 5, 2015;
 - On November 10, 2015 issued a report recommending the board deny the request;
 - The board held a public hearing on May 4, 2016:
 - On January 11, 2017, the board reviewed all of the evidence in the record and approved request subject to meeting conditions;
 - The conditions include:
 - A limited use overlay to allow the existing use outright;
 - Limit the hours of operation;
 - Requires stormwater control and treatment; and
 - Improvements to Lakeside Drive:
 - If the applicant takes specific steps outlined in the conditions to prevent semi-trucks from using the driveway on Lakeside Drive, those improvements can be deferred.
- Staff recommends the ordinance be adopted as written.

MOTION: Commissioner Cameron moved for adoption of an administrative ordinance granting Zone Change/Comprehensive Plan Amendment (ZC/CP) 15-001/Coastal Forest Products, LLC. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous

(Video Time 00:17:11)

SHERIFF'S OFFICE

4. Consider approval of the Memorandum of Understanding (MOU) with the US Attorney for the District of Oregon Chemawa Indian School to enhance safety at Chemawa Indian School for juvenile delinquent matters. – Sheriff Myers, Bruce Armstrong, Chuck Sybrandt

Summary of presentation:

- In 2005, the Chemawa Indian School approached the Sheriff's Office about having a contract for a school resource officer;
- Previously had the Bureau of Indian Affairs providing services to the school;
- Quickly discovered when an issue arises at the school involving a student, the venue is the federal government:
 - Series of laws that govern don't bode well for youth.
- In 2010, the contract was expanded to include the Juvenile Department and District Attorney's Office;
- Many of the youth come from all over the western United States to attend school;
- Prior to the partnership, the Sheriff's Office would end up having to send the youth back to their reservation and not deal with the actual issues;
- There are several boarding schools across the United States and the collaboration between Chemawa Indian School and Marion County is considered the gold standard;
- Deputies work side by side with the youth;
- Worked the last 2-3 years to establish peer court at the school:
 - 27 kids have been referred to peer court;
 - 7 sent home;
 - 20 working through peer court; and
 - 15-20 kids serving as jurors.
- The MOU is a great commitment of resources for a positive outcome.

Board discussion:

- The program protects and guides the youth and protects the community too; and
- The commissioners would like to observe the peer court.

MOTION: Commissioner Cameron moved for approval of the Memorandum of Understanding with the US Attorney for the District of Oregon Chemawa Indian School to enhance safety at Chemawa Indian School for juvenile delinquent matters. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous

(Video Time 00:27:50)

5. Consider approval of an Intergovernmental Agreement with the City of Hubbard in the amount of \$23,392.50 to provide interim police chief services through April 30, 2017. – Sheriff Jason Myers

Summary of presentation:

- Mayor of Hubbard reached out when their chief had resigned and next ranking officer had retired;
- Needed assistance with supervision of the police department until a new chief is hired;
- Lt. Adcock was selected;
- The amount covers salary and benefits for two months; and
- Hubbard Police Department has six positions and is down to two officers.


MOTION: Commissioner Cameron moved for approval of an Intergovernmental Agreement with the City of Hubbard in the amount of \$23,392.50 to provide interim police chief services through April 30, 2017. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

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

None.


Commissioner Brentano read the calendar.

Commissioner Brentano adjourned the meeting at 9:40 a.m.


CHAIR

Not Present At Meeting

COMMISSIONER


COMMISSIONER

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