

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, April 19, 2017  
9:00 a.m.

Senator Hearing Room  
555 Court Street NE  
Salem, OR 97301

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

ABSENT: Commissioner Kevin Cameron

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

**PUBLIC COMMENT**

*(Video Time 00:00:53)*

Davidia Gilbertson:

- Received a letter from the Marion County Sheriff's Office stating that she was no longer able to have her venue on her property;
- Bought property three years ago;
- There are no zoning codes in an unincorporated area of Marion County for a venue;
- Called Public Works and was told the venue on her property was okay to have, but would get shut down if complaints are received;
- Ms. Gilbertson has never received a complaint;
- In the letter, it is not stated what code violation has been broken;
- Most of the venue is on railroad property and Ms. Gilbertson has permission from the railroad to use the property; and
- Ms. Gilbertson is very frustrated.

***Board discussion:***

- The commissioners directed Ms. Gilbertson to call code enforcement;
- Land use is governed by state law; and
- The commissioners directed Ms. Gilbertson to the Planning Department for a resolution.

**CONSENT**

*(Video Time 00:07:05)*

**BUSINESS SERVICES**

Approve an order adopting the revised Administrative Policy #517, Health Insurance Portability and Accountability Act (HIPAA) Protected Health Information Privacy Rule Requirements.

## FINANCE

Approve an order adopting the revised Administrative Policy #909, Establishment and Use of Procurement Cards.

## PUBLIC WORKS

Receive hearings officer's decision dismissing Administrative Review Case #17-008/Lobdell.

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

## **ACTION**

*(Video Time 00:08:03)*

## PROCLAMATION

1. Consider approval of a proclamation designating the week of April 23-29, 2017 as Volunteer Week in Marion County. – Lisa Miller

### ***Summary of presentation:***

- Ms. Miller provides support and encourages volunteerism in all of Marion County's departments;
- Has a lot of volunteers within the county that do great work:
  - Provide time and talents without assumption of being recognized.
- 1,700 volunteers served last year;
- National Volunteer Week began in 1974;
- President Richard Nixon signed an executive order;
- Way to inspire and recognize community members that are involved in our community;
- Activities planned for next week:
  - All volunteers will be receiving a thank you note and a small gift of appreciation for their time; and
  - Has volunteers nominated for awards.

**MOTION:** Commissioner Carlson moved for approval of a proclamation designating the week of April 23-29, 2017 as Volunteer Week in Marion County. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

The commissioners read the proclamation.

*(Video Time 00:13:21)*

## BOARD OF COMMISSIONERS

2. Consider approval of a resolution supporting passage of a transportation package by the 2017 Oregon State Legislature. – Barb Young

### ***Summary of presentation:***

- A year ago, the joint Transportation Preservation Modernization Committee began their work on the this package that is before the legislature today;

- Started with a tour of the state, looking at all of the infrastructure needs statewide;
- Commissioner Brentano had the opportunity to participate in the tour;
- Toured the Woodburn Interchange on I-5;
- Toured the Donald Interchange and identified safety concerns;
- The joint committee took the information gathered and has been working in subcommittees to form one big package;
- The subcommittees are as follows:
  - Maintenance Preservation and Seismic Subcommittee;
  - Congestion Subcommittee;
  - Safe Bikes, Safe Route and Safety Subcommittee; and
  - Intermodal Subcommittee.
- While working in the subcommittees, they did ask cities and counties for their priority infrastructure needs;
- Marion County submitted the Newberg/Dundee Bypass, as well as the Donald I-5 Interchange; and
- The committee is bringing all of their information together for one bill for deliberation.

***Board discussion:***

- Even though Marion County submitted the above priorities, Cordon Road is a big priority:
  - City of Salem has made it their priority as well.
- Need increased revenue to deal with the transportation issues;
- Last year, the legislature passed the Clean Fuels bill:
  - Violates all trust Oregon has concerning fuel taxes;
  - Takes money derived from fuel and puts it in other “good cause”;
  - Adding more ethanol in fuel causes less mileage:
    - Damage to engines.
  - Unless the legislature can get the bill repealed, it stands in the way of making real progress on road systems in Oregon.

**MOTION:** Commissioner Carlson moved for approval of a resolution supporting passage of a transportation package by the 2017 Oregon State Legislature. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

*(Video Time 00:23:20)*

3. Consider approval of a License Agreement together with Salem Area Mass Transit District allowing the use of Courthouse Square North Block by Salem Saturday Market to operate public markets on Wednesdays from May through September 2017. – Cindy Johnson, Bruce Armstrong

***Summary of presentation:***

- A few months ago, the city of Salem came to the Condominium Board on behalf of Saturday Market to have Wednesday Markets on the unimproved pad on the North Block;
- Working with transit and Saturday Market;
- Wednesday Market runs from May-September 2017;
- This license agreement lays out responsibilities and protects the county:
  - Ensures that the North Block is not damaged;

- Cannot exceed 100 pounds per square foot;
- No vehicles on the north block;
- Vendor stalls cannot exceed 4,800 pounds;
- Can only access the property from 7:00 a.m.-5:00 p.m. that day; and
- Only propane cooking.
- Ms. Johnson will work with facilities each week to inspect the pad;
- The license fee is \$1,000; and
- There are no objections of the license agreement from the Condominium Board.

***Board discussion:***

- This summer is a test run to see how the market does in that location;
- Potential to build up the north block and develop a permanent marketplace; and
- Worked to find a usage for the north block.

**MOTION:** Commissioner Carlson moved for approval of a License Agreement together with Salem Area Mass Transit District allowing the use of Courthouse Square North Block by Salem Saturday Market to operate public markets on Wednesdays from May through September 2017. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

*(Video Time 0:33:03)*

**COMMUNITY SERVICES**

4. Consider an order approving the 2016-17 Business Development Grant Application and Funding Recommendation in the amount of \$50,000 to Gilgamesh Brewing, LLC. – Sarah Spinks

***Summary of presentation:***

- Community Services oversees the Economic Development Program;
- Receive \$1.6 million per year in video lottery revenue proceeds;
- A portion is budgeted each year for the Business Development Grant Program;
- For the 2016-17 fiscal year, \$243,250 has been allocated;
- Have recommended funding for three projects totaling \$80,000;
- This proposal is for \$50,000 toward a \$650,000 project with Gilgamesh Brewing, LLC to expand their operations and bring in-house their bottling and canning side of the business:
  - Expanding the manufacturing of their brews.
- Project will create 16 jobs over a two year period.

**MOTION:** Commissioner Carlson moved for approval of the 2016-17 Business Development Grant Application and Funding Recommendation in the amount of \$50,000 to Gilgamesh Brewing, LLC. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

*(Video Time 00:35:30)*

### PUBLIC WORKS

5. Consider approval of an order establishing a \$30 annual parking pass to park at North Fork, Bear Creek and Salmon Falls Parks. – Cindy Schmitt

#### ***Summary of presentation:***

- Have been working for two years to make improvements to the North Fork Road area;
- Last year, the board approved the \$5 per day parking fee to reduce the crowding;
- This fee is in the process of being instituted now; and
- Putting in collection stations in the parks.

**MOTION:** Commissioner Carlson moved for approval of an order establishing a \$30 annual parking pass to park at North Fork, Bear Creek and Salmon Falls Parks. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

*(Video Time 00:42:00)*

6. Consider approval of the Public Improvement Agreement with K&E Excavating, Inc. for \$389,732.50 for construction of St. Louis Road Rail Crossing Safety Project. - Cindy Schmitt

#### ***Summary of presentation:***

- The railroad crossing is on St. Louis Road, which is west of Gervais;
- There have been safety issues the last few years and have become eligible for federal safety rail crossing funds;
- Project involves signalizing the railroad;
- Will replace with a more drivable crossing surface;
- The new crossing surface will last a long time;
- Advertised the project and received seven bids; and
- Construction will begin April 28, 2017.

**MOTION:** Commissioner Carlson moved for approval of the Public Improvement Agreement with K&E Excavating, Inc. for \$389,732.50 for construction of St. Louis Road Rail Crossing Safety Project. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

## **PUBLIC HEARINGS**

**9:30 A.M.**

*(Video Time 00:46:10)*

### PUBLIC WORKS

A. Public hearing to consider Mass Gathering (MG) 17-002/Stryker (Super Game), Clerk's file #5723. – Brandon Reich

#### ***Summary of presentation:***

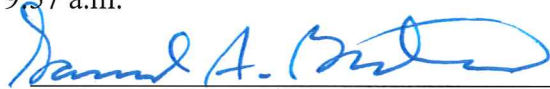
- Paintball event;
- 2794 French Prairie Road, St Paul;

- Surrounding properties are farms;
- Small mass gathering;
- Mass Gathering will be held on May 4-7, 2017;
- Estimated attendance is 1,500 people;
- All Marion County agencies approved the plan provided in the application;
- St. Paul Fire District requested the applicant allow them to inspect the property prior to the mass gathering;
- Sound amplification will be used;
- No alcohol will be available; and
- No fireworks will be used or shown.

**MOTION:** Commissioner Carlson moved to close the public hearing and record and approve the Mass Gathering (MG) 17-002/Stryker (Super Game), Clerk's file #5723. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

Commissioner Brentano read the calendar.

Commissioner Brentano adjourned the meeting at 9:57 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

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