

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, February 21, 2024
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Kevin Cameron, Commissioner Danielle Bethell, and Commissioner Colm Willis. Also present were Jane Vetto as county counsel and Brenda Koenig as recorder.

ABSENT: Jan Fritz, chief administrative officer

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

(Video Time 00:00:58)

PUBLIC COMMENT

David Beem:

- Mr. Beem expressed the following:
 - He is a spokesperson for individuals with disabilities;
 - He is concerned about area homelessness;
 - He would like to utilize a vacant building located in the City of Salem to provide shelter and services for individuals experiencing homelessness;
 - Many individuals experiencing homelessness do not have access to showers;
 - He would like the issue to be considered in the next county budget; and
 - He is working with the governor’s office on three house bills.

(Video Time 00:02:26)

CONSENT

BOARD OF COMMISSIONERS

OLCC Licenses – Recommended Approval

1. Approve an order recommending the renewal of 98 Oregon Liquor Control Commission Licenses as referenced in Exhibit A.

OLCC License – Recommended Approval

2. J&R’s Canyon Taps, LLC – Lyons, Oregon

Board Committee Appointment – Fair Board

3. Approve an order reappointing Pamela Zielinski to the Marion County Fair Board with a term ending December 31, 2026.

HEALTH AND HUMAN SERVICES

4. Approve the incoming funds Intergovernmental Agreement with the Oregon Health Authority (OHA) in the amount of \$1,274,524 to provide oversight and care coordination for individuals served in Choice Model Services retroactive to January 1, 2024, through June 30, 2025.

INFORMATION TECHNOLOGY

5. Approve Amendment #5 to the Contract for Services with Siemens Industry, Inc. to add \$139,314 for a new contract total of \$829,324 for hardware and software for the Marion County Jail video surveillance system.

PUBLIC WORKS

6. Receive the hearings officer's decision determining the number of legal lots on 26.65-acres for Administrative Review (AR) Case #23-033/Prohar and Evdokia Bodunov.

TAX OFFICE

7. Approve an order for a property tax refund in the amount to \$25,725.55 for Fjord, LLC, tax account number 359791.

8. Approve an order designating the Woodburn Independent as the newspaper for publication of the 2024 Marion County Tax Foreclosure List.

TREASURER'S OFFICE

9. Approve orders to establish petty cash funds within the Marion County Community Services Department in the amount of \$100.00 for office supplies, and \$500 for public competition supplies and judges' fees, for the Marion County Fair.

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

(Video Time 00:05:52)

ACTION

COMMUNITY SERVICES

10. Consider approval of the Subrecipient Agreement with the Boys and Girls Club of Salem, Marion, and Polk Counties, in the not-to-exceed amount of \$111,932 to provide funding for administrative services that support the Healthy Lifestyle Program at the Epping Homestead Location retroactive to July 1, 2023, through June 30, 2026. –Steve Dickey

Summary of presentation:

- This is the final agreement for the 2023-24 Community Development Block Grant (CDBG) Program;
- The agreement is with the Boys and Girls Club of Salem, Marion, and Polk Counties;
- The agreement total is for \$111,932;
- Funding will be utilized to expand services at the Epping Homestead branch of the Boys and Girls Club;
- The services are for the Healthy Lifestyle Program; and
- This is the second funding agreement provided for the Epping Homestead branch of the Boys and Girls Club.

Board discussion:

- The commissioners' expressed their appreciation for all the work that has been done for the project;
- The project was approved in 2023;
- The agreement was discussed at a prior Work Session meeting; and
- Commissioner Bethell would like more funding made available from the federal government.

MOTION: Commissioner Willis moved to approve the Subrecipient Agreement with the Boys and Girls Club of Salem, Marion, and Polk Counties, in the not-to-exceed amount of \$111,932 to provide funding for administrative services that support the Healthy Lifestyle Program at the Epping Homestead Location retroactive to July 1, 2023, through June 30, 2026. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:08:15)

HEALTH AND HUMAN SERVICES

11. Consider approval of the Contract for Services with Advanced Security, Inc. in the amount of \$1,800,000 to provide unarmed security and vehicular patrol services for Marion County Health and Human Services locations retroactive to December 1, 2023, through December 31, 2026. –Rhett Martin and Mai Cao

Summary of presentation:

- Marion County Health and Human Services (MCHHS) contracts out for unarmed security and vehicular patrol to provide safety for clients and staff;
- The service will be provided at the multiple MCHHS locations;
- A Request for Proposal (RFP) for the service was issued in the fall of 2023;
- Advanced Security, Inc. was selected to provide the service;
- The company has provided the service for MCHHS since 2017;
- The contract with Advanced Security, Inc. is for \$1,800,000;
- The contract’s ending term date is December 31, 2026;
- The contract is retroactive to December 1, 2023;
- The contract provides for overnight vehicular patrols at the following locations:
 - The MCHHS Center Street campus;
 - A building on Silverton Road in the City of Salem; and
 - The future site of the MCHHS Crisis Center.
- The contract provides for unarmed walking patrols at the following locations:
 - The current MCHHS Crisis Center;
 - Offices located in the City of Woodburn;
 - Offices on Silverton Road in the City of Salem; and
 - Multiple buildings located on Beverly Avenue in the City of Salem.

Board discussion:

- The Request for Proposal (RFP) process started in September 2023; and
- MCHHS collaborates with community partners to ensure they have the opportunity to apply.

Motion: Commissioner Bethell moved to approve the Contract for Services with Advanced Security, Inc. in the amount of \$1,800,000 to provide unarmed security and vehicular patrol services for Marion County Health and Human Services locations retroactive to December 1, 2023, through December 31, 2026. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:12:59)

12. Consider approval for the Contract for Services with Matthew Piehler in the amount of \$575,000 to work as the assertive community treatment prescriber providing skilled medical assessments and supervision through February 28, 2026. –Ryan Matthews and Natalie Stone

Summary of presentation:

- The contract with Matthew Piehler is for \$575,000;
- The contract is for two years;
- The county pays an hourly rate up-to the number of billable hours that Mr. Piehler works;
- Services rendered can be reimbursed through state or private insurance;
- Mr. Piehler is a Psychiatric Mental Health Nurse Practitioner (PMHNP);
- Mr. Piehler provides services for the following:
 - Marion County’s Adult Behavioral Health (ABH) outpatient office; and
 - The Assertive Community Treatment (ACT) team.
- Clients may have a severe and persistent mental health illness:
 - The ACT team focuses on an acute level of care in an outpatient environment.
- Mr. Piehler provides medical supervision for clients taking therapeutic medications for treatment;
- Mr. Piehler provides services at some of the following locations:
 - Adult foster homes;
 - On the streets for individuals experiencing homelessness; and
 - An outpatient office.

Board discussion:

- Prescriptions are for psychotropic medications;
- Clients in the ACT program are generally referrals from the Oregon State Hospital or the community;
- Clients are not always compliant and may not be actively seeking services:
 - Clients cannot be forced into treatment.
- Going out into the community is a benefit to help clients adhere to a treatment plan.

MOTION: Commissioner Willis moved to approve the Contract for Services with Matthew Piehler in the amount of \$575,000 to work as the assertive community treatment prescriber providing skilled medical assessments and supervision through February 28, 2026. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:21:13)

SHERIFF'S OFFICE

13. Consider approval of the Contract for Services with CNA Corporation in the amount of \$248,407.77 to provide consulting services for the Marion County Sheriff's Office Public Safety Assessment. –Undersheriff Jay Bergmann

Summary of presentation:

- The contract with CNA Corporation is for a public safety assessment;
- The contract is for \$248,407.77:
 - The financial impact for the first year will be approximately \$88,000; and
 - The financial impact for the second year will be approximately \$160,000.
- CNA Corporation will assess the Marion County Sheriff's Office (MCSO) processes and the services provided in all four divisions of the department to determine the following:
 - If the services are being provided in an efficient manner;
 - Which services may need to be done differently; and
 - Develop new services based on current trends to meet future needs.
- The contract is for nine months; and
- Following the assessment, the MCSO staff will work with the board's office to implement changes.

Board discussion:

- The MCSO will work with the board's office throughout the entire process;
- It is important for staff to understand the recommendations in order to be more effective and better navigate all the outcomes;
- The scope of work is mostly internal and looks at what the MCSO does:
 - This will also involve interviewing others in the criminal justice system that work with the MCSO.
- CNA Corporation will review some of the following:
 - Staffing;
 - Current trends; and
 - National ideals related to:
 - Jail beds; and
 - Patrol deputies.
- The board would like to be included in the initial meeting with the MCSO and contractor;
- CNA Corporation has a variety of experience with subject matter experts in most of the areas that the MCSO would like reviewed;
- The company's proposal was based on what the MCSO requested:
 - They develop a program based on the needs of the MCSO versus utilizing a service that they already provide.
- It is good to look at all the challenges so that citizens will be better served;
- Public safety is the most important service that government can provide;

- Oregon Ballot Measure 110 which decriminalized drugs has had a large negative impact on the criminal justice system:
 - The state has stepped back as a partner in protecting communities; and
 - Local government has more of the burden of finding a solution for the issue.

MOTION: Commissioner Bethell moved to approve the Contract for Services with CNA Corporation in the amount of \$248,407.77 to provide consulting services for the Marion County Sheriff’s Office Public Safety Assessment. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:29:22)

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

PUBLIC WORKS

A. Public hearing to consider an amendment to Marion County’s Comprehensive Plan amending the City of Aumsville Urban Growth Boundary (UGB). –Brandon Reich

Summary of presentation:

Brandon Reich:

- The City of Aumsville has proposed an amendment to the Urban Growth Boundary (UGB);
- The city held a hearing and adopted an ordinance to add 22-acres of land for public recreation;
- Establishing and revising an UGB requires a cooperative process between the city and the county;
- The City of Aumsville has requested that the county concur in the UGB amendment;
- The board signed a resolution on January 10, 2024, to initiate amendments to the county’s comprehensive plan to consider concurring in an amendment to the City of Aumsville’s UGB;
- A public hearing to receive testimony was scheduled for February 21, 2024;
- The city is proposing a 22.57-acre expansion of the UGB to allow for a new city park:
 - The city’s consultant conducted an analysis and determined that a park was needed as identified in the City of Aumsville’s Parks Master Plan (PMP):
 - The need for a 22-acre park was first identified in the 1996 City of Aumsville PMP;
 - The city updated the PMP in 2017 and 2023; and
 - The analysis is supported by public outreach that the city had performed when updating the PMP.
- The east side of the city has only one 3.02-acre park;
- The city’s findings support the following:
 - The boundary expansion;
 - The priority of land to be included within the UGB; and

- Addresses Goal 14 factors and the statutory provisions for an amendment to the UGB to include park lands within the boundary.
- County staff communicated with the city’s planning consultant throughout the process;
- No issues were identified that required addressing;
- If the UGB is approved, the land will remain outside the incorporated city until it is annexed and provided with services;
- Staff recommended the following:
 - Applying an urban transition density zone for 20-acres to the parcel;
 - That the board concur in the City of Aumsville Comprehensive Plan UGB amendment; and
 - That the board direct staff to prepare an ordinance approving amendments to the Marion County Comprehensive Plan by adopting amendments to the city’s UGB for 22.57-acres for a public park.

Jesse Winterowd:

- Mr. Winterowd expressed the following:
 - He is a representative for the City of Aumsville;
 - The PMP identified a need for parks on the east side of the city;
 - His company helped to ensure the city’s PMP was consistent with state laws:
 - Statewide planning goals were reviewed;
 - Findings were drafted; and
 - There was collaboration with the county’s planning group.

Testimony:

Neutral:

Daren Gilbert:

- Ms. Gilbert expressed the following:
 - She has concerns with the city’s UGB expansion;
 - The city’s proposal would surround their property on three sides;
 - They learned about this public hearing from a community newspaper published in the City of Stayton;
 - Their property is currently located within the county’s jurisdiction;
 - The county has not communicated with Mr. and Ms. Gilbert regarding the proposed UGB changes;
 - Changes to the UGB can have a tremendous impact on their property including:
 - Property values;
 - Water and sewer rates; and
 - Traffic on their road.
 - She would like to know who is representing their interest.

Board discussion:

- The law requires that the county publish notice in a newspaper;
- The county publishes notices in the Statesman Journal;
- The county encourages cities to perform out-reach to community members when there are proposed UGB changes;
- The city is responsible for the following:
 - Developing the property;
 - Annexing the property;
 - Submitting proposals for:
 - Setbacks;
 - Development standards; and
 - Mitigating impacts.
- The city is responsible for providing a strong proposal;
- The proposal comes before the board after the city has completed their process; and
- The county has no standards for the development of the park because the park would be within the city.

Chris Gilbert:

- Mr. Gilbert expressed the following:
 - They were notified of the proposed UGB change:
 - They were not notified of the city council meeting where the proposed UGB change was voted on; and
 - They were notified of a planning commission meeting:
 - This is the only meeting that they received notification for; and
 - They did not receive notification of a city council meeting.
 - They have met with the Aumsville City Manager who has explained the city's proposal and the process;
 - They do not receive a City of Aumsville newsletter because they are not within the city limits;
 - He does not know how would be notified of city meetings when they are not within the city's limits;
 - They understand the need for a park and would like to work with the city regarding the planning:
 - A park may benefit their property's value.
 - It is not in their best interest to completely oppose the park; but
 - It is in their best interest to be part of the planning process and provide input.

Board discussion:

- Options for the board to consider include:
 - Approve the request;
 - Approve the request with modifications;

- This would require the city to consider their modifications and their ordinance.
 - Decline to concur; or
 - The board could keep the record and the hearing open and continue the hearing on a date to be determined:
 - This would give the city more opportunity to communicate with neighboring properties;
 - The city may need to hear and address community concerns;
 - The city may need to identify and address standards for development.
- Commissioner Cameron suggested continuing the hearing:
 - He would like Mr. and Ms. Gilbert to have the opportunity to work with the city regarding their concerns; and
 - He would like the hearing to continue once their concerns have been heard.
- The public hearing is for land use and not park design;
- There are several neighbors whose property is adjacent to the proposed park; and
- All property owners whose land is adjacent to the park would like the opportunity to be part of the planning process.

Jesse Winterowd:

- Citizen involvement is important, and he would like citizens to be involved in the planning process;
- The proposal is for an UGB expansion with a park developed sometime in the future;
- Annexation and development have not been proposed yet;
 - Community outreach will be important in these phases.

Board discussion:

- The city can annex property without approval from the county once the UGB has been expanded;
- The property is currently not within the city's limits;
- The property cannot be developed until it has been annexed; and
- The commissioners expressed concerns with the neighboring properties adjacent to the proposed park not being notified.

Testimony:

Support:

Kirsti Pizzuto:

- Ms. Pizzuto is the Assistant City Administrator for the City of Aumsville;
- The park project began in October of 2022;
- The planning process involved a city park advisory committee which included:
 - Four community members;
 - A planning advisor;

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2023\2-21-2024

- A landscape architect; and
 - Ms. Pizzuto.
- Community outreach included:
 - Local elementary and middle schools;
 - Facebook;
 - Online surveys;
 - Open houses that were published on Facebook;
 - A newsletter;
 - Council meetings were publicly noticed in the newsletter and at the following locations:
 - A bank;
 - City hall; and
 - The post office.
- Newsletters are submitted to only city residents:
 - Newsletters are available for everyone at the city hall.
- The community Facebook page is a good tool that everyone can access.

Board discussion:

- Commissioner Willis expressed he is inclined to leave the public hearing open so that the city can provide more outreach to Mr. and Ms. Gilbert regarding the park plans;
- Commissioner Bethell expressed that there is more than one property that will be impacted by the park that may require city outreach;
- Commissioner Cameron expressed that the map does not show neighboring properties that are outside the city limits:
 - It would be helpful to see the neighboring properties on the map; and
 - He understands the need for a park, but there needs to be better communication with the community so citizens can get involved.

Matthew Etzel:

- Mr. Etzel expressed the following:
 - He is the Assistant Public Works Director for the City of Aumsville; and
 - A notice was posted at the property that a public hearing for the proposed park would be held:
 - The notice also included details of the proposed development.
 - There was signage at the proposed property.

Board discussion:


- The public hearing will be continued for a later date with the record being left open;
- The commissioners want to see more communication from the city to all the citizens including property owners around the proposed site;
- The commissioners clarified for the record that they would like the city to provide direct written notification to adjacent property owners;


- Information from the city should include the following:
 - Outreach details;
 - Meeting details;
 - What the community concerns were;
 - Any agreements that were reached if applicable;
 - An outline of the process;
 - A clear understanding that the property is for a park and not residential development; and
 - What the city is doing to make sure the impact is not adverse to the property owners.
- Commissioner Bethell expressed for the record that she would be happy to engage with the city and provide assistance if needed.

MOTION: Commissioner Willis moved to continue the public hearing and leave the record open to a date to be determined. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

Commissioner Cameron adjourned the meeting at 10:01 a.m.



 CHAIR


 COMMISSIONER


 COMMISSIONER

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