

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, April 10, 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 00:05:28)

PUBLIC COMMENT

David Beem:

- He is a spokesperson for those with disabilities in Marion County; and
- He suggested a building vacant for years be used as a homeless shelter.

Yvonne Mills:

- Ms. Mills expressed the following:
 - She is a resident of Marion County;
 - Mental health is an issue;
 - She has a child with severe schizophrenia;
 - Those with mental health issues have a hard time making decisions;
 - She has full guardianship of her child and makes decisions;
 - More funding is needed so there is support from various resources;
 - Her child's illness prevents her from getting the needed care; and
 - More wrap-around services for families are needed.

Board discussion:

- Commissioner Bethell stated the following:
 - She appreciates Ms. Mills sharing her personal story;
 - Oregon Health Authority (OHA) appropriates mental health funding;
 - They no longer allowing the Marion County Response Team to work:
 - Counties cannot pay law enforcement for this work.

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- Currently working to create a Salem team and a Marion County team;
- Marion County is working to fund four teams that are mental health providers only; and
 - In emergencies police first assess the scene for team safety
- The Behavioral Crisis Center is expanding into her neighborhood;
- Commissioner Bethell invited Ms. Mills to discuss resources, challenges, and to work together; and
- Real stories are what impacts change.
- Voices are needed at all government levels and Ms. Mills voice is valuable.

Lois Stafford:

- Ms. Stafford is a resident of Polk County;
- She has lived experience with mental health;
- She had an adult child that had a severe mental illness:
 - Ms. Stafford and her family did their best to help.
- There are few wrap-around services with wait lists; and
- Funding is needed for housing with wrap-around services to help the crisis from happening.

Cassie Farm:

- Ms. Farms helps in the animal rescue community;
- The welfare issue is not just a human issue but also an animal issue;
- Animals are also in crisis and suffering:
 - Government agencies are not doing anything.
- Ms. Farm would like to set up a meeting.

Samantha Paxin:

- Director and Founder of Little Critters Rescue for the last ten years:
 - It began as a dog rescue.
- The following situation arose recently:
 - A dog needed emergency surgery;
 - The owner did not want to treat even when offered to have it paid for;
 - There were three paid appointments that the owner missed;
 - Marion County was contacted and said they could do nothing;
 - Law enforcement stated this is a Marion County issue;
 - Keizer Police could give a misdemeanor for neglect, but the county needs to get the dog; and
 - The dog was eventually treated.
- Vehicles abandoning animals are photographed but the county and law enforcement can't do anything;
- There is uncertainty between agencies who can do what;
- In smaller Marion County towns law enforcement pick up animals:

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- Reaching out to rescue agencies for guidance.
- Some animal laws have not been updated since 1996;
- Need to connect and work out what different groups can and cannot do;
- Rescue groups will help if contacted by the county or law enforcement;
- Ms. Paxin works with Marion County Dog Shelter; and
- There needs to be a clearer understanding of roles.

Board discussion:

- Commissioner Bethell state the following:
 - Marion County’s dog shelter is constantly full:
 - Which is a problem at many shelters.
 - Animals are vulnerable when it comes to law oversight;
 - The priority now is the crisis involving people;
 - Chris Eppley, Director of Human Services will speak to Ms. Paxin;
 - The county will do what they can within the bounds of the law;
 - She is working with the shelter, legal counsel, and Mr. Eppley:
 - Researching the current system; and
 - If it is found that things must change, then they will.
 - Owners need to be responsible for their animals;
 - The issue is not being ignored; and
 - Crises are being responded to according to their priority.

(Video Time 00:32:31)

PROCLAMATION

PUBLIC WORKS - Action

1. Consider approval of a proclamation designating the week of April 15-19, 2024, as Work Zone Awareness Week in Marion County and recognizing April 17, 2024, as Go Orange Day. – Lani Radtke, Scott Wilson, and Matthew Bathke

Summary of presentation:

- This is the third year asking for this week to be recognized;
- Safety is important for county employees, contractors working for the county, and the public;
- This is an annual and national safety campaign with the following theme:
 - Work Zones are Temporary Actions Behind the Wheel Can Last Forever.
- The campaign is important as 956 people died in work zone crashes in 2021;
- Marion County Public Works (MCPW) has been doing the following:
 - Safety comes first is a value that was identified;
 - Safety Specialist, Mr. Bathke, was hired;
 - New technology is being used including:
 - Visibility enhancements with lights; and
 - Flagger assisted devices to reduce workers in the work zone.

- Oregon Department of Transportation (ODOT) collaboration for certifications;
- Attending various regional events; and
- Training by Occupational Safety and Health Administration (OHSA).
- Everyone has a role in work zone safety including:
 - Individuals driving through work zones are encouraged to slow down;
 - Avoid distractions; and
 - Be aware of the driving conditions on the road.

Board discussion:

- During this time traffic goes up as people travel and roadwork begins; and
- April is Distracted Driving Awareness month as well:
 - Distracted driving contributes to work zone accidents.

MOTION: Commissioner Willis moved to approve a proclamation designating the week of April 15-19, 2024, as Work Zone Awareness Week in Marion County and recognizing April 17, 2024, as Go Orange Day. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

The commissioners read the proclamation.

(Video Time 00:47:12)

CONSENT

BOARD OF COMMISSIONERS

OLCC Application – Recommended Approval

2. heaVin, Inc., dba., heaVin Estate – Aumsville, Oregon

PUBLIC WORKS

3. Approve a resolution initiating the consideration of amendments to the Marion County Comprehensive Plan to concur with an amendment to the City of Silverton Urban Growth Boundary (UGB) and schedule a public hearing for May 15, 2024.

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

(Video Time 00:47:53)

ACTION

HEALTH AND HUMAN SERVICES

4. Consider approval of the incoming funds Grant Agreement with the Oregon Department of Human Services (ODHS) for one-time American Rescue Plan Act (ARPA) Emergency Response funding in the amount of \$753,086.04 to prepare for future emergency situations retroactive to January 29, 2024, through March 1, 2025. –Karin Perkins

Summary of presentation:

- This helps case managers prepare individuals receiving intellectual and behavioral services for future emergency situations;
- The amount of available funding is determined by enrollment:
 - There are 2,750 individuals being supported through services.
- Awarded \$753,086.04 to purchase and distribute supplies to these individuals.
- The funds can be used to purchase emergency preparedness supplies:
 - Emergency supplies;
 - Power equipment; and
 - Administrative expenses.
- Met with Marion County’s Emergency Management Director to see what types of supplies are needed most;
- All individuals will get an emergency kit that includes items related to:
 - Food;
 - Hydration;
 - First aid;
 - Tools;
 - Light;
 - Communication;
 - Shelter;
 - Warmth;
 - Hygiene; and
 - Sanitation.
- The county has until 2025 to spend the grant funding:
 - Unspent funds will be returned after the contract’s ending term date.

Board discussion:

- This will help individuals stabilize in their living spaces during emergencies;
- Previously discussed mapping out where people live and their needs:
 - This grant does not support pursuing this; and
 - Office of Developmental Disability Services is making a map showing where all individuals getting care in Oregon live;
 - Marion County will have access to this information; and

- Commissioner Bethell stated for the record the state does a terrible job of communicating during a crisis.
- The system created is new and information is being shared with the county:
 - Ms. Perkins has seen the system but has not seen county data;
 - The Emergency Management Director, and Sheriff's Office are to be informed this is ready for use and have access; and
 - The county should have access so it can respond in an emergency.
- If barriers exist Commissioner Bethell will assist in getting through them;
- Last year, there was no map access and information that the South Salem fire might impact individuals came late;
- Whole house generators are not allowed under the contract;
- Discussed giving generators to those who don't need or know how to use them:
 - The first round will be giving kits to everyone; and
 - The second round will be giving generators where needed:
 - Will educate how to use them; and
 - The supportive providers may assist in this process.

MOTION: Commissioner Willis moved to approve the incoming funds Grant Agreement with the Oregon Department of Human Services (ODHS) for one-time American Rescue Plan Act (ARPA) Emergency Response funding in the amount of \$753,086.04 to prepare for future emergency situations retroactive to January 29, 2024, through March 1, 2025. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:58:19)

PUBLIC WORKS

5. Consider approval of the Construction Contract with Mid Valley Excavation, LLC, in the amount of \$168,265 for the installation of curve warning signs along Abiqua Road, Orville Road, Vitae Springs Road, and River Road South through September 30, 2025. –Carl Lund

Summary of presentation:

- The contract with Mid Valley Excavation, LLC, is for \$168,265;
- This will cover five miles of River Road South;
- Grant funding will be utilized for the project:
 - The county's match is \$13,091.
- Grants have been applied for 39 other roads through the ARPA program;
- The safety benefits of chevrons are as follows:
 - There is a 25 percent reduction in nighttime crashes; and
 - There is a 16 percent reduction in non-injury fatal and injury crashes.

Board discussion:

- None.

Motion: Commissioner Bethell move to approve the Construction Contract with Mid Valley Excavation, LLC, in the amount of \$168,265 for the installation of curve warning signs along Abiqua Road, Orville Road, Vitae Springs Road, and River Road South through September 30, 2025. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 01:00:52)

6. Consider approval of the Construction Contract with Roy Houck Construction, LLC, in the amount of \$3,719,939.70 to provide asphalt concrete resurfacing for various Marion County roads through August 30, 2025. –Ryan Crowther

Summary of presentation:

- The project is located on Cascade Highway between the City of Sublimity and the City of Silverton:
 - It will be from the city limits of Sublimity to the Oregon Gardens.
- The construction plan entails:
 - Isolated pavement repairs;
 - Mill and replace the top three inches of existing asphalt pavement;
 - Install centerline rumble strips;
 - Install recessed reflective markers on centerline of the roadway;
 - New striping;
 - Shoulder rock; and
 - Other miscellaneous work.
- Project budget and schedule is as follows:
 - The lowest bid was \$3,719,939.70:
 - There were many bidders for the contract.
 - The project will begin June 2024 and finish in August 2024:
 - Less impact as school is not in session.

Board discussion:

- Rumble strips are more cost effective; and
- There is thermo-plastic striping, but is more expensive, and less durable.

MOTION: Commissioner Willis moved to approve the Construction Contract with Roy Houck Construction, LLC, in the amount of \$3,719,939.70 to provide asphalt concrete resurfacing for various Marion County roads through August 30, 2025. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 01:06:00)

PUBLIC HEARINGS
9:30 A.M.

LEGAL COUNSEL

A. Public hearing to consider a petition for the annexation of certain lands to the Santiam Water Control District (SWCD). –Scott Norris

Summary of presentation:

Scott Norris:

- Several owners want property annexed into the district for water irrigation;
- ORS 198.857 guides property annexation to special districts by petition:
 - A petition is filed with the county governing body of the county where the district is located;
 - The petition is approved by the governing body of the district before filing
 - The district provided approved Resolution 2023-04 approving the annexation before you today;
 - When submitted the county governing body holds a public hearing for consideration;
 - The approved order describes boundaries, and it is declared annexed;
 - The comprehensive plan and service agreements must be considered:
 - There are no service agreements in the area;
 - The designation is primary agricultural; and
 - The zone is Special Agricultural.

Testimony:

Support:

Brent Stevenson:

- Manager of the Santiam Water Control District, here in support;
- The goal is to continue irrigating lands in Marion County, efficiently;
- Cities and counties continually grow and expand into district lands:
 - This causes lands to not be irrigated and water rights become available.
- Instead of losing the water rights it may be given to those in need:
 - They are in Special Agriculture zones with no water rights.
- The district sets a yearly budget which is the operational costs of the district;
- Some facilities can feed water to lands;
- Other lands are disconnected from facilities and need infrastructure:
 - There will be a pump station requirement;
 - Engineering will determine what the project costs will be; and
 - There are associated pumping costs that owners will need to pay for.

Jim McKay:

- Mr. McKay is a seventh-generation farmer near the City of St. Paul;
- Water rights will allow niche crops to be grown on marginal grounds; and
- Mr. McKay is agreeable to paying if the annexation goes through.

Jeremy Anderman:

- Mr. Anderman has the same sentiments as Mc. McKay; and
- Mr. Anderman understands the cost associated with the annexation.

Don Annotti:

- Mr. Annotti has about 65 acres in the area and is ready to use it the land; and
- Mr. Annotti is willing to pay for the cost associated with the annexation.

Board discussion:

- The district decides if project costs are the impacted landowner's or the whole district's burden:
 - They analyze how each individual is impacted;
 - The elevation change will bring significant pumping costs:
 - Likely the benefitting new owners will bear the burden; and
 - The overall operational per acre cost will be the same for all.
- Growing cities into lands with water rights then lose the water rights forever;
- The current cost is \$32.50 per acre per year:
 - This is currently one of the cheapest districts in the state.
- Citizens that signed up for public comment expressed that they are ok with paying the water fees;

Commissioner Cameron closed the public hearing.

(Video Time 01:17:41)

ACTION

LEGAL COUNSEL

7. Consider approval of an order for the annexation of seven parcels of land as described in Exhibit A to the Santiam Water Control District (SWCD).

–Scott Norris

Summary of presentation:

- None

Board discussion:

- Commissioner Bethell stated for the record she is part of this district, and they are not sophisticated, and all its information posted on their website:
 - There are not many notifications;

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- To be informed you must be proactive;
- The district is very responsive; and
- There needs to be discussion with the district so irrigation can continue.

Motion: Commissioner Bethell move to approve an order for the annexation of seven parcels of land as described in Exhibit A to the Santiam Water Control District (SWCD). Seconded by Commissioner Willis; motion carried. A voice vote was unanimous

(Video Time 01:20:32)

Commissioner Cameron requested and received unanimous consent to return to public comment:

Jim McKay:

- Mr. McKay has been part of other water districts;
- It is not a sophisticated district, but the relationships built have been wonderful; and
- Mr. McKay prefers the district how it is set up.

Commissioner Cameron adjourned the meeting at 10:17 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

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