

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, June 5, 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 Jan Fritz, chief administrative officer, Scott Norris as county counsel, and Brenda Koenig as recorder.

Commissioner Cameron called the meeting to order at 9:00 a.m.
Commissioner Bethell arrived at 9:03 a.m.

(Video Time 00:03:09)

***Recess as Board of Commissioners.
Convene as Contract Review Board.***

**CONTRACT REVIEW BOARD
ACTION**

COMMUNITY SERVICES

1. Consider approval of an order for a Sole Source Procurement to enter into a Contract for Services with Willamette Workforce Partnership for administration of the Marion County Youth Employment Grant Program. –Toby Giddings and Kelli Weese

Summary of presentation:

- Pursuant to Oregon Revised Statutes and Marion County Public Contracting rules, Community Services is seeking approval from the contract review board to conduct a sole search procurement with Willamette Workforce Partnership.
- The process for approval of a sole source procurement is as follows:
 - Document that the services are available from one source only:
 - A Request for Information was issued stating that the contractor listed above is the only entity providing these services;
 - Request asked for those believing otherwise to reach out; and
 - After seven days no responses were received.
 - The next step is to come to the board to seek approval of the process;
 - If approved, the approved determination will be posted for seven days allowing the public to protest the determination:
 - To be posted on Cobblestone Gateway and Oregon Buys; and

- If there is no protest, then a contract can be entered into.

Board discussion:

- None.

MOTION: Commissioner Willis moved to approve an order for a Sole Source Procurement to enter into a Contract for Services with Willamette Workforce Partnership for administration of the Marion County Youth Employment Grant Program. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

***Adjourn as Contract Review Board.
Reconvene as Board of Commissioners.***

(Video Time 00:06:05)

PUBLIC COMMENT

Sophia Damiani:

- Employed with Marion County as an epidemiologist with the communicable disease program in the public health division:
- Here to speak on the benefit hybrid work schedule including:
 - Worked almost entirely from home during COVID;
 - The community's needs are met efficiently and effectively;
 - During inclement weather individuals are still able to work:
 - In states of emergency alternate work locations or allowing to work from home may be provided per FAB Measure
 - 2.2.2A, specifically element C to maintain continuity;
 - During inclement weather individuals were not allowed to work from home causing avoidable disruption of services to the community;
 - Rigidity has caused many employees to leave for more favorable and flexible work:
 - Training new staff for them to just leave is a high cost to pay.
 - Comparable counties and the Oregon Health Authority (OHA) allow hybrid work options; and
 - There is evidence that the work can and has been done well when working remotely.

Sean Murphy:

- Addiction and Recovery Mentor with Health and Human Services;
- Hybrid work model and its benefits include the following:
 - The cost savings for the employer are about \$11,000 per year per employee working remotely part-time;
 - Absenteeism reduces by 25 percent;

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- Improvement in the work-life balance:
 - Individuals working from home report feeling happier and more productive.
- Overhead costs are reduced, and resources can then be reallocated to more critical areas;
- Studies have shown up to a 20% increase in operational efficiencies;
- Customer service hours may be expanded allowing customers' needs to be met:
 - Reports state there is a correlation between remote work and customer satisfaction.
- A hybrid work model offers substantial cost savings an enhanced work-life balance, operations efficiencies, employee satisfaction and retention and improved customer service;
- Comments taken from a letter by Mr. Cody Stewart who could not be present.

Deirdre Mahoney-Clark:

- Ms. Mahoney-Clerk has worked with the county for five-and-a-half years in Business Services Administration as and Accounting Specialist;
- Marion County vision and mission states to treat customers and employees with respect, dignity, fairness and understanding;
- Marion County also hires, trains and develops employees to be knowledgeable and experts in their roles;
- We strive for the highest level of accuracy and quality in carrying out our responsibilities to the public;
- The union is made up of Marion County employees that work on behalf of the board to achieve the mission and vision of Marion County;
- The union proposals are reasonable and financially viable for the county, these include:
 - Wage adjustments;
 - Health benefit adjustments; and
 - And hybrid work ability.
- Marion County is in competition with the City of Salem, and the state of Oregon for staff:
 - Wages and benefits are not attractive compared to these entities:
 - The evidence is based on the lack of qualified applicants;
 - Applicants rejecting job offers;
 - Number of ongoing vacancies; and
 - Loss of staff to other entities with better wages and benefits.
- Marion County employees continue the work at the county with lower wages, benefits and working options;
- Meeting these needs would provide the ability to retain knowledgeable and expert employees.

Amanda Farrar:

- Ms. Farrar has been a Child Support Services employee with the county for over four years;
- Ms. Farrar is an employee, a single mother, sole caretaker for her ailing father, and full-time college student working long days and nights
- Due to the high costs of rent, food, insurance, gas, and health Ms. Farrar finds herself at the same financial place she was four years ago;
- Ms. Farrar spends over 60 percent of her pay on rent even though she has received promotions and is paid more; and
- Marion County must consider the cost of inflation, its impact on employees, and why employees deserve equitable, and livable cost of living and more affordable medical coverage. To be able to continue to provide services to the citizens of Marion County and take care of their own families.

Monica Gates:

- Ms. Gates has worked with the county over 20 years currently with family support;
- When discussing a Cost-Of-Living Adjustment (COLA) the answer has always been no;
- The only COLA raise received was a five percent increase the last collective bargaining agreement:
 - Currently they are around 1.5 percent to 2.5 percent.
- Inflation has gone up 13.8 percent over the last five years:
 - A family of four, in Oregon, spends on average \$300 on groceries, weekly;
 - Gas prices are \$4 a gallon; and
 - Rent was approved to be increased by 10 percent and in 2022 it was approved for a 9.9 percent increase.
- Ms. Gates pays \$1,800 in rent which is 38 percent of her family's income:
 - All other necessary expenses continue to increase as well.
- Marion County employees deserve an equitable livable COLA and affordable medical coverage, so they are able to continue to serve the community and their families.

Alice Robinson:

- Currently works for Health and Human Services in the EHR division;
- Through the pandemic and rising inflation costs the employees of Marion County have continued to work tirelessly to provide crucial services to Marion County residents;
- Many are struggling to make ends meet:
 - Employees find themselves struggling to pay rent.
 - Some employees rely on food banks and other services to feed their families.
- Marion County enjoys financial stability and has a healthy surplus:
 - This allows ample resources for fair and just compensation and benefits to employees.
- These benefits would prove that employee contributions are valued by the county;

- Employees take pride in their work, but the 12.4 percent vacancy rate threatens the continued delivery of essential services;
- Employees are being lured away by the state and neighboring counties by the following:
 - Better benefits;
 - Hybrid working options; and
 - Improved health care plans.
- The five percent COLA increases are appreciated but they have not kept pace with inflation rates:
 - Since 2026 inflation has risen by 36 percent while wages have risen 22 percent; and
 - Commissioner’s wages have risen 42 percent far outpacing inflation.
- Rising healthcare costs have put a strain on already stretched finances;
- The mental health crisis in Marion County needs qualified professionals but it can’t be done without the necessary resources;
- Investing in county employees is also investing in the community;
- Supporting employees will retain current employees and entice new ones; and
- Ms. Robinson submitted a petition with signatures.

Board discussion:

- Inflation affects everyone including Marion County:
 - It creates more costs for the county; and
 - Everyone experiences having a harder time purchasing goods and services.
- The county is not able to fix the federal government printing more money.

(Video Time 00:27:50)

PRESENTATION

2. Oregon Garden Foundation Annual Report. –Kelli Weese, Ken Hector, Oregon Garden Foundation Chair, and Delen Kitchen, Oregon Garden Foundation Director of Operations

Summary of presentation:

Delen Kitchen:

- There have been many projects at the Oregon Garden including:
 - Rose Petal Fountain renovation:
 - Various donations allowed the project to be done.
- Received \$150,000 grant from Travel Oregon:
 - Funding provided for parking lot striping;
 - ADA accessibility; and
 - Improvements to the tram path.
- Youth Education happened through various events;
- The Earth Day event was attended by 3,000 community members;
- Classes on composting, earthquake awareness and other topics are available for adults;
- There are many volunteers that help with various projects, and they include:

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- Older adults;
- High school students; and
- College students.
- Mountain View Tree Service does tree pruning and removals for the Oregon Garden:
 - They removed a large, damaged pine tree at no cost to the garden.
- James Roofing reroofed the Children’s Garden which is used by 5,000 students for the natural resource’s education program;
- K&E Excavating helped take down an unsafe structure and Silver Creek Timber Works is helping to rebuild the structure:
 - The project already has a few committed donors.
- A few of the events coming up this summer include:
 - Music on the Lawn summer concerts;
 - Earthquake Preparedness class;
 - July Third Firework Celebration; and
 - Art in the Garden.

Kent Hector:

- There are challenges in maintaining an 80-acre botanical garden:
 - It is done through partnerships.
- The Oregon Garden had 137 outstanding notes dating back to 2000 totaling about \$952,000:
 - They have been paid on a quarterly basis for the last several years.
- Currently there are 35 outstanding notes that Oregon Garden needs to pay:
 - They total \$302,00;
 - The city of Silverton is a partner that helps;
 - Ten note holders donated the value of the note back to the Oregon Garden; and
 - In about the next two years the debt should be fully paid off.
- Assistance from Marion County has helped with some of the aging infrastructure:
 - The garden is over 25 years old.
- Improvements to the garden bring economic development.

Board discussion:

- The state of Oregon needs to provide better support to the Oregon Garden;
- The Oregon Garden has done a lot of work with the resources they have; and
- Mr. Hector is thankful for the work and help Ms. Weese has provided.

(Video Time 00:44:10)

CONSENT

BOARD OF COMMISSIONERS

OLCC License – Recommended Approval

3. JJ’s Mexican Food – Salem, Oregon

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FINANCE

4. Approve Amendment #3 to the Purchase Order with Robert Half International, Inc. to add \$71,919.27 for a new contract total of \$140,000 to continue to provide temporary staffing services through June 30, 2024.

HUMAN RESOURCES

5. Approve the recommendation to adopt and establish a Law Enforcement Assisted Diversion (LEAD) Navigator classification and pay range; update the classification and adjust the pay grade upward for class codes #134, Records Specialist (SO); #140, Deputy Sheriff Trainee Enforcement; #144, Deputy Sheriff Trainee Institutions; #154, Deputy Sheriff Enforcement; #181, Deputy Sheriff Institutions; #312, Survey Technician 1; #313, Survey Technician 2; and #317, Survey Technician 3.

TAX OFFICE

6. Approve an order for a property tax refund in the amount of \$72,661.29 for CR Village East Impact Communities, LLC, tax account 524301.

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

(Video Time 00:45:46)

ACTION

COMMUNITY SERVICES

7. Consider approval of the Intergovernmental Agreement with the City of Mill City in the amount of \$120,000 to complete an engineering and permitting planning package for bank stabilization for the Mill City Falls Park Planning Project through June 30, 2025. –Lari Rupp and Tim Kirsch, Mayor of Mill City.

Summary of presentation:

- In 2023 Marion County received \$1 million appropriation to support community planning projects in the North Santiam Canyon for long-term economic recovery and development:
 - Marion County budgeted \$120,000 to Mill City for a planning project.

Tim Kirsch, Mayor of Mill City:

- A large project for Mill City is the parks project:
 - Phase one of the park that is the entrance to Mill City is done;
 - Phase two will be funded from Oregon State Parks grant;
 - A contract was drawn up to continue the project, but a retaining wall fell into the Santiam River, so the contract was withdrawn.
- Engineering contract is needed for wall removal and the river rehabilitation project;

- Opal Creek Promise funding is to be used for this project:
 - This promise was created 25 years ago by the federal government; and
 - Marion County pushed for the funding to be made available.
- Mr. Kirsch is thankful to Marion County for its support through various projects for economic development.

Board discussion:

- Mill City is looking great with various projects and improvements including the bridge project and ongoing redevelopment;
- The small community relies on grants for assistance:
 - A Marion County employee helped the city procure a grant for the rehabilitation of a bridge in the city.
- There are many things the small city could not do without the help of the county.

MOTION: Commissioner Willis moved to approve the Intergovernmental Agreement with the City of Mill City in the amount of \$120,000 to complete an engineering and permitting planning package for bank stabilization for the Mill City Falls Park Planning Project through June 30, 2025. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:52:04)

FINANCE

8. Consider approval of Amendment #1 to the Contract for Services with Moss Adams LLP to add \$559,165 for a new contract total of \$1,387,445 and extend the term date to May 31, 2027, for annual audit services. –Sherry Downs

Summary of presentation:

- Amendment #1 will reinstate the contract, extend the term and add additional funding for an additional three fiscal audit years;
- Oregon law requires the county to have an annual external audit;
- Moss Adams, LLP was awarded the contract in 2019; and
- The county has had a good relationship with Moss Adams, LLP and is satisfied with their services.

Board discussion:

- There will be a major change in the system, and it is important to have consistency with the same contractor while the change is being implemented:
 - They will help to ensure that the changes are implemented well.
- The contractor has made complimentary and appreciative comments regarding the Marion County Finance Department.

Motion: Commissioner Bethell moved to approve Amendment #1 to the Contract for Services with Moss Adams LLP to add \$559,165 for a new contract total of \$1,387,445 and extend the term date to May 31, 2027, for annual audit services. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:55:47)

PUBLIC WORKS

9. Consider the adoption of an administrative ordinance granting Zone Change (ZC) Case #21-010/Landon Hattan. –Austin Barnes

Summary of presentation:

- The hearings officer held a public hearing on January 6, 2022;
- On January 18, 2022, the hearings officer approved the request;
- The board held the application for the mandatory period and no appeals were received;
- Ordinance and findings were prepared and on May 29, 2024, notice of adoption was given;
- Administrative ordinance is set for final consideration and adoption;
- Since this is a zone change only there is no need for a hearing as there was no appeal received:
 - The comprehensive plan and the underlying multi-family comprehensive designation are staying the same.

Board discussion:

- None.

MOTION: Commissioner Willis moved to adopt an administrative ordinance granting Zone Change (ZC) Case #21-010/Landon Hattan. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:57:19)

10. Consider the adoption of an administrative ordinance granting Zone Change (ZC) Case #22-003/36th Street Property, LLC. –Austin Barnes

Summary of presentation:

- The hearings officer held a public hearing on May 31, 2022;
- An approval was issued by the hearings officer on June 3, 2022;
- The board held the application for the mandatory period and no appeals were received;
- Ordinance and findings were prepared and on May 29, 2024, notice of adoption was given;
- Administrative ordinance is set for final consideration and adoption;
- Since this is a zone change only there is no need for a hearing as there was no appeal received:

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- The comprehensive plan and the underlying multi-family comprehensive designation are staying the same.

Board discussion:

- None.

MOTION: Commissioner Bethell moved to adopt an administrative ordinance granting Zone Change (ZC) Case #22-003/36th Street Property, LLC. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:59:02)

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

PUBLIC WORKS

A. Public hearing continued from February 21, 2024, to consider an amendment to Marion County's Comprehensive Plan amending the City of Aumsville Urban Growth Boundary (UGB).
–Austin Barnes

Summary of presentation:

- On October 23, 2023 the city of Aumsville, held a public hearing to consider a 22.57-acre amendment to the UGB for a new city park;
- On November 2, 2023, the city submitted its adopting ordinance with a letter requesting the county concur in the expansion;
- On January 10, 2024, the board approved a resolution to initiate the amendment to the county comprehensive plan:
 - A public hearing was scheduled on February 21, 2024;
 - At the hearing neighbors raised concerns regarding the proposal; and
 - The hearing was scheduled to continue.
- The City of Aumsville completed public outreach with an open house for the community and to discuss further details;
- After, Mr. Barnes contacted the city and the neighbors that attended the open house:
 - There were no additional concerns that were raised;
 - The main concerns included:
 - What would the road look like after development; and
 - Where there be infrastructure and sidewalk improvements.
- Brought before the board at this meeting to consider concurring with the city of Aumsville's request.

Testimony:

Support:

Jesse Winterowd:

- The city received a state grant to update their comprehensive plan;
- Based on population there was a need for parkland;
- A consultant, who is a landscape architect, worked with the city to help update the master plan:
 - This led to evaluating park needs in the city; and
 - It reconfirmed the need for a park in the east side of the city.
- Mr. Winterowd was brought in to determine how to achieve the park while meeting all requirements;
- The application is not for zone change or annexation:
 - It is an area of land brought into the UGB;
 - After it is brought into the UGB then the city can do a zone change/annexation; and
 - Then funding will be found for park development:
 - This phase has its own public process and steps.
- The community should have been more involved from the beginning:
 - Now as the project develops the community will be part of the process.

Testimony:

Ron Harding, City of Aumsville Administrator:

- The property on the east side of the city is the only area that meets the park requirements:
 - The property was purchased in 2019; and
 - Mr. Harding began to reach out to neighbors:
 - Not all neighbors were reached out to.
- The city went through an extensive park planning process:
 - This was done in 2018, 2022, and 2023:
 - Specifically going through the master park plan.

Chris Gilbert:

- Mr. Gilbert confirms that he was contacted and there was a community meeting where several neighbors attended;
- What the county asked the city to do, the city did;
- The challenge is the plan and it's the level of development;
- Mr. Gilbert appreciates the board's support;
- As the process continues concerns will be raised:
 - Mr. Gilbert hopes for the board's support as the process continues.
- Mr. Gilber is not opposed to the park but wants his rights and voice heard.

Daren Gilbert:

- Ms. Gilbert's property is surrounded by the park on three sides;
- Ms. Gilbert is thankful the board for asking the city to hear from the neighbors;

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- Ms. Gilbert expressed concerns with the following:
 - Infrastructure;
 - Lighting;
 - Sewer;
 - Roads;
 - Water;
 - Traffic and parking; and
 - Emergency vehicle access.
- Neighbors were told that these questions and concerns will be addressed at a later time; and
- As the process continues many neighbors would like to be involved in the process.

Testimony:

Support:

Della Seney, City of Aumsville Council President:

- The open house went well, and many residents appreciated what was done and how things were explained; and
- The city now understands the residents' concerns and residents understand the city is working through a process currently the answers will come in time.

Board discussion:

- Commissioner Willis is thankful that neighbors are involved and engaged with the city:
 - He encourages neighbors to continue to be engaged.
- Commissioner Cameron stated that neighbors continue engagement and after this step the county will not be involved as much:
 - Neighbors should continue engaging with the city council.
- Commissioner Bethell expressed the following:
 - Asked the city to commit to notifying neighbors, through mail, with properties adjacent to the proposed park about the process; and
- Mr. Harding stated the following:
 - The city has engaged in an extensive public information campaign;
 - There is an increase in use of social media, the newsletter, and public postings:
 - In the last four years engagement has gone up two thousand percent.
 - The community has a responsibility to engage with the city;
 - A commitment was made at the meeting that direct notices will be mailed to surrounding county residents:
 - Direct notices are mailed for items where residents within 100 feet are involved:
 - This is being expanded to 300 to 600 feet adjacent to the property.
 - A commitment has been made to residents within park boundaries regarding methods of additional screening for noise disturbances, etc.

MOTION: Commissioner Willis moved to close the public hearing and approve an amendment to the Marion County's Comprehensive Plan amending the City of Aumsville Urban Growth Boundary (UGB). Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

Commissioner Cameron adjourned the meeting at 10:18 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

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