

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, June 12, 2024  
9:00 a.m.

Senator Hearing Room  
555 Court Street NE  
Salem, OR 97301

**PRESENT:** 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.

**ABSENT:** Commissioner Kevin Cameron

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

*(Video Time 00:00:42)*

**Motion:** Commissioner Willis moved to change the term date for item # 2 on the agenda under Board of Commissioners, Board Committee Appointment: An order reappointing Fire Chief Joseph Budge to the Marion County Public Safety Coordinating Council with a term beginning July 1, 2024, and ending December 31, 2024. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:01:22)*

**PUBLIC COMMENT**

Ronald Sterba:

- Mr. Sterba expressed the following:
  - He recently finished receiving treatment for cancer;
  - He tested his home for radon gas with a test kit:
    - He did it four times and three came back positive in February.
  - He tested his home before receiving a cancer diagnosis;
  - He asked two colleges is anything be done for residents in Salem regarding radon and cancer;
  - He has been part of his neighborhood association since 1983;
  - He would like something done for radon gas in Salem;
  - His home was built in 1928:
    - The city of Salem replaced piping on his street which ended on the corner of his home.

Board discussion:

- Commissioner Bethell expressed the following:
  - She will reach out to Mr. Sterba after doing some research on radon;
  - Marion County will reach out to the city of Salem; and
  - Will look into a potential formal process of radon detection and elimination because of its impacts.

*(Video Time 00:11:36)*

**CONSENT**

**BOARD OF COMMISSIONERS**

**1. OLCC Licenses – Recommended Approval**

- Lynne Properties, LLC, dba, Domaine Mathiot – Aurora, Oregon
- Maha Laxmi 2, LLC, dba, Brooks Food Market – Brooks, Oregon

**Board Committee Appointment – Public Safety Coordinating Council**

2. Approve an order reappointing Joseph Budge, Fire Chief for the cities of Woodburn and Hubbard, as a Citizen Member to the Marion County Public Safety Coordinating Council with a term beginning July 1, 2024, and ending December 31, 2024.

**BUSINESS SERVICES**

3. Approve Amendment #3 to the Lease Agreement with Pioneer Trust Bank, N.A., Trustee for the Salem Foundation, to add \$89,655.78 for a new contract total of \$905,921.10 for the lease of office space at 3867 Wolverine Avenue N.E., Building F, in Salem, Oregon, through June 30, 2025.

4. Approve Amendment #3 to the Lease Agreement with Pioneer Trust Bank, N.A., Trustee for the Salem Foundation, to add \$110,707.68 for a new contract total of \$1,167,403.43 for the lease of office space at 3876 Beverly Avenue N.E., Building G, in Salem, Oregon, through June 30, 2025.

5. Approve Amendment #3 to the Lease Agreement with Pioneer Trust Bank, N.A., Trustee for the Salem Foundation, to add \$95,836.36 for a new contract total of \$747,557 for the lease of office space at 3878 Beverly Avenue N.E., Building H, in Salem, Oregon, through June 30, 2025.

**HEALTH AND HUMAN SERVICES**

6. Approve Amendment #1 to the Contract for Services with Melody Klug to add \$84,000 for a new contract total of \$183,000 to continue to provide psychiatric mental health nurse practitioner services for the Adult Behavioral Health (ABH) program through June 30, 2025.

INFORMATION TECHNOLOGY

7. Approve the Purchase Order with Mythics, LLC in the amount of \$246,164.55 to provide Oracle support services effective July 1, 2024, through June 30, 2025.

SHERIFF'S OFFICE

8. Approve Amendment #5 to the Contract for Services with Correct RX Pharmacy Services, Inc., to add \$260,414 for a new contract total of \$1,226,410.83 to continue to provide pharmaceutical services at the Marion County Jail through June 30, 2025.

TREASURERS OFFICE

9. Approve an order for the distribution of Oregon State Forestry timber revenues, as referenced in Exhibit A, in the amount of \$758,732.81 per ORS Chapter 530.

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

*(Video Time 00:14:48)*

**ACTION**

BOARD OF COMMISSIONERS

10. Consider approval of the American Rescue Plan Act (ARPA) Subrecipient Agreement with the City of Stayton in the amount of \$250,000 for improvements to two city parks through December 31, 2026. –Jeff White

***Summary of presentation:***

- The city received direction from the board to apply for grant funding:
  - The Oregon State Marine Board stated funding will not be given; and
  - The city is hoping that applying the board's direction will allow the projects to move forward.

***Board discussion:***

- The city is planning on placing a kayak boat launch at the river:
  - There is a boat launch in place currently that is 100 yards away; and
  - The Oregon State Marine Board stated the same thing.
- There is another access in the area that needs to be improved;
- It is hard to launch a kayak from a boat launch in a fast-moving river;
- The Oregon State Marine Board stated that the bank is not stable, and it will erode:
  - There is a concern about the investment being a waste of money.
- Commissioner Bethell requested to table the contract for further conversation:
  - She will call the city manager to discuss and get an explanation why this is a good investment and if it is a good decision.
- Commitments on the expenditures must be made by December 31, 2024.

**MOTION:** Commissioner Willis moved to pull the American Rescue Plan Act (ARPA) Subrecipient Agreement with the City of Stayton and bring it back at a later date. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:21:37)*

11. Consider approval of the Contract for Services with the Mid-Willamette Valley Community Action Agency, Inc., in the amount of \$600,000 to provide outreach and benefit services to local veterans effective July 1, 2024, through June 30, 2026. –Gary White

***Summary of presentation:***

- This contract is to provide Marion County veterans and their families services and benefits during their or their family members time of service;
- In June 2018 a veteran’s office in Marion County was created and it partnered with Mid-Willamette Valley Community Action Agency, Inc, Oregon Department of Veterans Affairs and Marion County;
- The veterans service officers are accredited VA representatives who advocate for veterans, dependents, and survivors to ensure earned benefits are received including some of the following:
  - Filing disability claims;
  - Filing for pension;
  - Obtaining military records;
  - Applying for VA healthcare;
  - Applying for VA education benefits; and
  - Applying for surviving spouse benefits.
- To date the program has interacted with 2,932 veterans and families resulting in \$650,000 in new awards and \$2 million in retroactive awards;
- Interactions with veterans take place in various settings and locations;
- This office is funded by a grant from the Oregon Department of Veterans’ Affairs and Marion County.

***Board discussion:***

- Commissioner Danielle Bethell stated for the record:
  - Veterans are one of the most important parts of our community;
  - The Oregon Department of Veterans’ Affairs does a great job of underfunding every need that veterans have including this office;
  - The Association of Oregon Counties and a few other organizations in the state are pushing for greater investment;
  - Individuals in the community appreciate the officers working in the office who do good work with the resources they have:

- The veteran population continues to grow in the county and the state needs to acknowledge this.
- The contract is more robust and transparent which is necessary for accountability and so that the community is aware how funds are used.

**Motion:** Commissioner Willis moved to approve the Contract for Services with the Mid-Willamette Valley Community Action Agency, Inc., in the amount of \$600,000 to provide outreach and benefit services to local veterans effective July 1, 2024, through June 30, 2026. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:25:28)*

### BUSINESS SERVICES

12. Consider approval of Amendment #1 to the Lease Agreement with Khoury Development, LLC, to add \$910,786.32 for a new contract total of \$2,414,150.32 for the lease of office space at 976-986 N. Pacific Highway in Woodburn, Oregon, through June 30, 2029. –Tamra Goettsch

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

- This lease amendment allows Marion County Health and Human Services (MCHHS) to continue to provide services in the City of Woodburn and its surrounding areas for both mental and physical health needs of county residents;
- Previously there was a 10-year lease agreement after some discussions it was determined a five-year lease agreement would be in the county's best interest;
- There will be some investment in the facility through upgrades including:
  - Painting;
  - Carpeting;
  - Flooring; and
  - Bathroom improvements.
- Improvements costs will be about \$230,000:
  - The improvements are for staff and those who come in for services.
- The lease will allow for two additional extensions for five-years each.

#### ***Board discussion:***

- Ms. Goettsch will confirm if the contract includes language which will allow breaking the contract before five years if the county finds a building to purchase:
  - If such language is not in the contract an amendment to include it should be made and brought forward to the board.
- The county is looking for property to buy in Woodburn for a MCHHS building; and
- The current building is at a great location that is secure, has parking and is accessible by public transportation.

**MOTION:** Commissioner Willis moved to approve Amendment #1 to the Lease Agreement with Khoury Development, LLC, to add \$910,786.32 for a new contract total of \$2,414,150.32 for the lease of office space at 976-986 N. Pacific Highway in Woodburn, Oregon, through June 30, 2029. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:29:08)*

13. Consider approval of the Lease Agreement with Nolan Works, LLC, in the amount of \$1,049,773.64 for the lease of office space at 4660 Portland Road NE in Salem, Oregon, through June 30, 2034. –Tamra Goettsch

***Summary of presentation:***

- The Marion County Justice Court utilizes the facility;
- The facility is located in an area that is easily accessible;
- Staff has had conversation with the lease owner for property improvements:
  - The lease owner has agreed to pay \$51,578.98 for improvements; and
  - Improvements will increase security for the facility:
    - There will be a scanner prior to entering the building.

***Board discussion:***

- (TI) stands for Tenant Improvements and Marion County will be contributing \$71,515 for improvements; and
- The current security system will be relocated to the front door.

**MOTION:** Commissioner Willis moved to approve the Lease Agreement with Nolan Works, LLC, in the amount of \$1,049,773.64 for the lease of office space at 4660 Portland Road NE in Salem, Oregon, through June 30, 2034. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:33:04)*

**PUBLIC WORKS**

14. Consider approval of Amendment #2 to the Contract for The Supply and Processing of Solid Waste with Reworld Marion, Inc. to change the contractor's name from Covanta Marion, Inc. to Reworld Marion, Inc., adjust certain service rates, and extend the contract term date to December 31, 2024. –Brian May

***Summary of presentation:***

- The current agreement with Reword Marion, Inc./Covanta Marion, Inc. expires on June 30, 2024:
  - Part of the agreement is a five-year extension; and
  - Part of the process was to agree to begin negotiations a year prior to the term date.
- Some of the discussions and changes included:

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- Fixed increase per price by 1.5 percent.
- In October 2023 the CEO stated they would not be able to move with the amendment because of financial restraints and new negotiations began;
- Amendment #2 entails the following:
  - Rebrands the company from Covanta Marion, Inc. to Reworld Marion, Inc.;
  - Extends the contract for six months;
  - Adjusts the tip fee Marion County will pay to Reworld Marion Inc. to \$72.25 per ton; and
  - Provide a monthly discount to Marion County of 1,765.5 tons per month:
    - This is about a \$20 increase per ton for the county.
- The Cleaner Air Oregon Act is still under review and may have impacts on the facility;
- In 2023 Senate Bill 488 was passed:
  - It requires additional continued air monitoring at a level in which the technology does not exist;
  - The Oregon Department of Environmental Quality wants to see it continually done;
  - Reworld submitted its plan to DEQ on how to achieve this and they are waiting for a response.

***Board discussion:***

- Legislation passed in 2023 that requires Covanta now Reworld to monitor certain toxins with technology that does not exist:
  - It is not possible to test in real time minute by minute; and
  - It is instead tested by capturing gas exiting the facility.
- Turning waste into electricity is a good option to assist with reducing waste going into landfills:
  - This has been done in the county for the last 30 years; and
  - Marion County is the only county in Oregon utilizing this option to dispose of their waste.
- Oregon legislators need to be responsible and need to first do no harm;
- Commissioner Bethell expressed the following:
  - Legislation should have passed with funding to help create a system that can capture testing in real time;
  - Instead, legislation was passed swiftly, with no education involved, and real harm inflicted;
  - Marion county and surrounding neighbors will be impacted if Reworld does not find a solution;
  - The burden should not be solely on the business;
  - The county was forced to make decisions;
  - Reworld will be faced with challenges in the next six months; and
  - Marion County has a lot of waste, and it will need to figure out what to do with it in the future.

- Not making a mid-year rate increase as that would have impacted all 20 city jurisdictions in the county:
  - This is a \$1.35 million impact;
  - There is a solid waste fund that can cushion the cost for a short time period.
- There needs to be a townhall with the 20 cities regarding this challenge; and
- The facts need to be communicated clearly so the county can avoid certain situations.

**MOTION:** Commissioner Willis moved to approve Amendment #2 to the Contract for The Supply and Processing of Solid Waste with Reworld Marion, Inc. to change the contractor's name from Covanta Marion, Inc. to Reworld Marion, Inc., adjust certain service rates, and extend the contract term date to December 31, 2024. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:45:51)*

### COMMUNITY SERVICES

15. Consider approval of the Contract for Services with Willamette Workforce Partnership in the amount of \$120,000 for administration of the Youth Employment Grant Program through July 1, 2026. –Kelli Weese

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

- This a partnership between the county and Willamette Workforce Partnership:
  - Funding is provided to small business in the county hiring youth between the ages of 14 to 17, in their first job; and
  - Costs are offset by \$5 an hour up to 1000 hours.
- It is important that youth have the opportunity to learn and gain work skills and knowledge in a first-time employment position;
- It takes time for businesses to train first-time employees;
- On February 9, 2024, a Request for Information was done to determine if other businesses are interested in partnering with the county:
  - No requests were received and an agreement with Willamette Workforce Partnership was developed.
- On May 30, 2024, a work session was held with the board and Willamette Workforce Partnership:
  - Willamette Workforce Partnership presented how to better market to the youth and to connect youth to employers.
- Historically the focus has been more on supporting businesses;
- This contract allows for more engagement with youth and partnering them with businesses;
- The contract is for two years with ability to extend until June 30, 2027;
- The agreement is for \$60,000 annually; and
- This will be funded by the Economic Development Lottery Fund.

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***Board discussion:***

- This program idea was taken from Linn County;
- The program began in April 2021 with a dozen businesses participating in 2021 and 2022;
- Business participation doubled and was taking place all over the in 2023:
  - Aurora;
  - Scio;
  - Salem;
  - Woodburn;
  - Keizer;
  - Stayton;
  - Brooks;
  - Hubbard; and
  - Silverton.
- The job opportunities vary from agriculture to video production to golf, pizza parlors the Gilbert House, swimming centers, etc.;
- It is an investment of time for small businesses to employee individuals:
  - An employer in Stayton, part of the HVAC industry, took his time to teach the trade.
- Youth have the opportunity to learn skills and determine what trades and jobs they might enjoy; and
- The county will help to advertise this partnership and program.

**MOTION:** Commissioner Willis moved to approve the Contract for Services with Willamette Workforce Partnership in the amount of \$120,000 for administration of the Youth Employment Grant Program through July 1, 2026. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:53:40)*

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

**CONTRACT REVIEW BOARD -  
ACTION**

**BUSINESS SERVICES**

1. Consider approval of an order granting an exemption to the Marion County Public Contracting Rules to allow the direct selection of a vendor for one-time landscape maintenance services at county-owned facilities on Aumsville Highway as referenced in Exhibit A. –Tamra Goettsch

***Summary of presentation:***

- This will allow Marion County Business Services to do a direct contract with a local landscape professional;
- Services will be provided at the following county locations:
  - The jail;
  - The transition center;
  - Public safety building; and
  - Dog services.
- This will help bring the public facing area back to Marion County standards;
- Staff received four quotes for one-time landscape maintenance services:
  - The provider best aligned with the needs of the county is able to respond within 48 hours of full execution of a contract.

***Board discussion:***

- Several quotes were received, and the best option was chosen; and
- Any future landscape needs that require extra help will go through a normal recruitment.

**MOTION:** Commissioner Willis moved to approve an order granting an exemption to the Marion County Public Contracting Rules to allow the direct selection of a vendor for one-time landscape maintenance services at county-owned facilities on Aumsville Highway as referenced in Exhibit A and to close the Contract Review Board. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

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

(Video Time 00:56:30)

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

None.

Commissioner Bethell adjourned the meeting at 10:04 a.m.

**Not Present At Meeting**

CHAIR



COMMISSIONER



COMMISSIONER

**Board Sessions can be viewed on-line at**

**<https://www.youtube.com/playlist?list=PLSUQ1gg6M78UsBE3q6w4rdf59Z5rXkEi5>**

