

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, January 27, 2021
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, Jane Vetto as county counsel, and Brenda Koenig as recorder.

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

PUBLIC COMMENT

None.

PRESENTATION

(Video Time 00:00:48)

COVID-19 (Novel Coronavirus) update. –Katrina Rothenberger

- Ms. Rothenberger reported the following updates for the COVID-19 pandemic as of 8:00 a.m. on Wednesday, January 27, 2021:
 - There have been an estimated 16,951 cumulative cases within the county from the start of the pandemic in March 2020;
 - The current percent positivity rate is 9.4 percent:
 - Oregon’s current statewide rate is estimated at 5.9 percent.
 - An estimated 255 individuals have died from symptoms related to COVID-19 since the start of the pandemic; and
 - An estimated 26 individuals are currently being monitored in the hospital for symptoms related to COVID-19:
 - This is a decrease from the prior week in which 48 individuals were being monitored.
- Nationwide trends show a decline in the following:
 - Positive COVID-19 tests;
 - Hospitalizations related to COVID-19; and
 - Deaths related to COVID-19.
- Marion County along with the following counties are considered part of Region 2 for Oregon’s emergency response:
 - Benton;

- Lincoln;
- Linn;
- Polk; and
- Yamhill.
- The current hospital capacity within Region 2 includes the following:
 - The region has an estimated 787 cumulative non-Intensive Care Unit (ICU) hospital beds:
 - An estimated 185 adult non-ICU hospital beds are available.
 - The region has an estimated 127 cumulative ICU hospital beds:
 - An estimated 51 adult ICU hospital beds are available.
- An estimated 50 individuals are currently being hospitalized within Region 2 for COVID-19 symptoms:
 - This is a decrease from the prior week in which 64 individuals were hospitalized within Region 2.
- COVID-19 case rates within the county and Oregon are declining:
 - Ms. Rothenberger reported a 22.7 percent decrease in COVID-19 cases within the county over the last two-week period.
- A large majority of positive cases have been reported for zip codes in the following locations:
 - The City of Salem in the following areas:
 - Central; and
 - Northeast.
 - The City of Keizer;
 - The City of Woodburn; and
 - The City of Brooks.
- An estimated 8,769 COVID-19 tests were administered for the week of January 17 through January 23, 2021;
- The Oregon Health Authority (OHA) data dashboard reported an estimated 222,385 Oregonians have been immunized with the first dose of a COVID-19 vaccine:
 - It is estimated that over 45,000 Marion County residents have been immunized:
 - An estimated 40,000 of the immunizations were for individuals in Phase 1A;
 - An estimated 5,500 of the immunizations were for individuals in Phase 1B:
 - An estimated 10,000 vaccine doses are still needed before Phase 1B is complete.
 - The immunizations include employees from the following education groups:
 - Early learning;
 - Kindergarten through Grade 12 (K-12); and
 - Child care providers.
 - The anticipated immunization schedule entails the following:
 - Seniors age 80 or older will be eligible to receive the vaccine on

- February 8, 2021;
 - Seniors age 75 or older will be eligible to receive the vaccine on February 15, 2021;
 - Seniors age 70 or older will be eligible to receive the vaccine on February 22, 2021;
 - Seniors age 65 or older will be eligible to receive the vaccine on March 1, 2021;
 - An estimated 800,000 Oregonians are over the age of 65; and
 - Immunizations will be dependent on the available vaccine supply.
- Vaccine developers are working on a booster that will protect against new strains of the COVID-19 virus;
- Research to determine if a fully vaccinated individual can still spread the COVID-19 disease is still underway:
 - Marion County Health and Human Services (MCHHS) encourages individuals that are fully vaccinated to continue with the following:
 - Wearing protective face coverings;
 - Washing hands frequently; and
 - Practicing six-feet social distancing.
- Currently there is no option available for individuals to preregister to receive the COVID-19 vaccine immunization:
 - Many healthcare providers have a vaccine signup list available on their healthcare website; and
 - MCHHS recommends individuals who are eligible to receive the vaccine contact their healthcare provider for more immunization information.
- Community members can access COVID-19 updated vaccine information through the following sources:
 - The Salem Health website;
 - The Santiam Hospital website;
 - Marion County's website;
 - Social media channels;
 - Community partners; and
 - The media.

Board discussion:

- Individuals are encouraged to contact their primary care physician to discuss the following before receiving the COVID-19 vaccine immunization:
 - Current medications;
 - Pre-existing health conditions; and
 - Possible vaccine side-effects.
- MCHHS continues to partner with school districts for reopening schools to in-school education:
 - A large number of educators have already been immunized with the COVID-19 vaccine.

- Immunizing educators and school staff under the age of 65 before immunizing seniors remains a concern:
 - A high percentage of individuals over the age of 65 have already been immunized with the COVID-19 vaccine; and
 - Seniors that are 65 and older will continue to be immunized as more vaccines are received.
- Citizens from neighboring counties have received the COVID-19 vaccination within Marion County.

CONSENT

(Video Time 00:14:16)

BOARD OF COMMISSIONERS

OLCC Applications – Recommended Approval

Micheladas y Antojitos El Perico, LLC, dba, Micheladas y Antojitos El Perico –Salem, OR
Paradis Vineyards, LLC, dba, Paradis Vineyards –Silverton, OR

HEALTH AND HUMAN SERVICES

Approve an order reappointing Angelica Palomino-Lopez to the Marion County Local Alcohol and Drug Planning Committee with a term ending January 31, 2023.

PUBLIC WORKS

Receive notice of the hearings officer’s decision approving Zone Change (ZC) Case 20-006/J. Conser and Sons, LLC.

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

ACTION

(Video Time 00:16:04)

PUBLIC WORKS

1. Consider approval of the incoming funds Intergovernmental Agreement (IGA) with the Oregon Military Department in the amount of \$158,586 for the Emergency Management Performance Grant retroactive to July 1, 2020, through June 30, 2021. –Kathleen Silva

Summary of presentation:

- Ms. Silva is requesting approval of the incoming funds IGA for the Emergency Management Performance grant;
- Historically the grant is used to fund four emergency management employee personnel for the following:
 - Plan writing;

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- Preparedness;
- Mitigation;
- Response; and
- Recovery.
- The funding is a 50-50 match:
 - Marion County contributes 50 percent of the needed funds; and
 - The Federal Emergency Management Agency (FEMA) contributes the remaining 50 percent of the needed funds.
- The grant can also be utilized for program operations.

Board discussion:

- The term date for the grant is retroactive to July 1, 2020:
 - The grant originated with state and federal agencies in July, 2020; and
 - The county did not receive the IGA documents until January, 2021.

MOTION: Commissioner Willis moved to approve the incoming funds Intergovernmental Agreement with the Oregon Military Department in the amount of \$158,586 for the Emergency Management Performance Grant retroactive to July 1, 2020, through June 30, 2021. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:19:15)

2. Consider approval of the Intergovernmental Agreement with the Oregon Department of Transportation for the Wildfire Recovery Operations; Step 2 Cleanup Activities through January 27, 2023. –Brian Nicholas

Summary of presentation:

- The state of Oregon will lead the wildfire cleanup efforts and Marion County will assist with coordinating the operations;
- The state will incur all expenses associated with the cleanup efforts:
 - There is no direct cost to the county;
 - The county’s primary role is to act as a liaison between property owners and the Oregon Department of Transportation (ODOT); and
 - The county has a full time, primary liaison that is dedicated to the wildfire cleanup project.
- The liaison meets with ODOT representatives daily to discuss the following:
 - Daily cleanup plans;
 - The coordination of cleanup efforts over multiple days; and
 - The contribution of information to ODOT that will assist with the following:
 - Planning; and
 - Effectively executing work efforts.
- ODOT has hired two large consulting agencies that have a large list of local subcontractors supplying resources:

- The state and the contractors are mobilizing their resources; and
- Time is needed for the following:
 - Developing a schedule;
 - Coordinating work activities; and
 - Communicating to communities the following:
 - The work locations; and
 - The scope of work involved in each location.

Board discussion:

- The following were impacted by the wildfires:
 - An estimated 700 residential properties;
 - Commercial properties; and
 - Agriculture timber properties:
 - Almost every property has its own set of circumstances and issues that need to be taken into consideration.
- ODOT has expressed that contractors will be in contact with property owners to address concerns and answer questions prior to any work being implemented on an individual's private property:
 - Details are still being formulated for contact with property owners.
- Multiple property owners have submitted right-of-entry forms consenting to ODOT performing cleanup efforts on an individual's private property:
 - Contact information should be listed on each right-of-entry form;
 - ODOT will contact each individual that submitted a right-of-entry form to clarify that the document was received and that the applicant is part of the cleanup program;
 - Property owners will be directed to a website to answer additional questions pertaining to their property;
 - ODOT and their contractors' will review the property owner's submission to address concerns and issues related to the property; and
 - Contractors may contact property owners to discuss property needs.
- Septic tank feedback received from communities and the county has led to ODOT revising contract language prior to a contractor submitting bids:
 - Prior language expressed that contractors would fill septic tanks with concrete if it was determined that a septic tank structure was unsound;
 - The act of filling a septic tank structure with concrete would add extra expense to the property owner for removal of the concrete; and
 - Current contract language requires the contractor to perform the following at no cost to the property owner:
 - Locate the property's septic tank;
 - Install fencing around the property's septic tank for structure protection and individual safety;
 - Pump out the septic tank for testing; and
 - Remove any inoperable septic tanks.

- ODOT is developing a website tool kit to assist property owners with questions and concerns:
 - The site will contain an interactive map;
 - It provides work status updates that advise the following:
 - When work has been started on a property; and
 - When work has been completed on a property.
 - Property owners can check on the status of their property;
 - The site will include a section for real-time commentary with experts;
 - Property owners can gather information;
 - A hotline will be available; and
 - A link to the website will be posted on the county's wildfire recovery page once ODOT has completed the website development.
- ODOT and their contractors are establishing a method to advise property owners when cleanup efforts will be performed on individual properties:
 - This will assist property owners with a time frame for individuals that are planning a rebuild.
- Ms. Vetto clarified that the contract is strictly between Marion County and ODOT:
 - In the contract the county is referred to as the agency.
- Mr. Nicholas expressed that this is an IGA between the county and ODOT that allows the state to perform work on county owned properties and county owned rights-of-way:
 - ODOT has already been granted right-of-entry by individual private property owners:
 - Private property cleanup is a direct coordination between contractors and individual property owners;
 - The right-of-entry permit process grants the state the right to enter onto private property and perform cleanup work directly for the private property owner; and
 - The county is still obligated to act as a liaison between the two parties.
 - This agreement does not pertain to individual private property owners; and
 - Part of the IGA requests that the county submit photographs and other information to ODOT pertaining to county parks and county roadways impacted by the wildfires that require cleanup:
 - The information must be submitted at least 72 hours prior to the start of the cleanup process on county owned parks and roadways.
- Commissioner Bethell requested a copy of the contract between ODOT and contractors that provides the scope of work to be performed:
 - The contract may assist with building a communication plan.
- Mr. Nicholas expressed the following:
 - The contract lists a menu of services to be performed;
 - Individual work orders will be implemented for neighborhoods or group sites; and
 - The scope of work may differ for each site.
- Ms. Vetto expressed that part of ODOT's obligation in the contract is to remove hazardous trees and materials located on the following:

- County owned right-of-ways; and
- Private properties that have granted right-of-entry.
- Mr. Nicholas expressed the following:
 - ODOT wants to be efficient during the wildfire cleanup process;
 - ODOT plans to perform roadway clearing operations in a specified area;
 - During the same time period ODOT will concurrently perform private property cleanup in the same specified area;
 - ODOT would like to eliminate crews having to repeatedly enter a specified area for cleanup; and
 - Crews will remove injured trees first.
- Commissioner Willis expressed the following:
 - The IGA outlines both the county's obligation and the state's obligation for the wildfire cleanup process:
 - The state is responsible for cleanup where right-of-entries have been submitted; and
 - The county's primary role is to act as a liaison.
 - Private property owners want to know when cleanup efforts are going to start on their own property;
 - Cleanup efforts need to move quicker; and
 - ODOT needs to start cleaning up the properties that were impacted by the wildfires.
- The state hired one contract team to clean up the Beachie Creek wildfire area:
 - The state hired separate contract teams for all the different wildfires that occurred within Oregon; and
 - There are different management teams for each wildfire.

MOTION: Commissioner Bethell moved to approve the Intergovernmental Agreement with the Oregon Department of Transportation for the Wildfire Recovery Operations; Step 2 Cleanup Activities through January 27, 2023. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

Board discussion:

- ODOT has submitted a color code standard for trees in the wildfire zone:
 - To eliminate confusion the same color code standard will be utilized across the state:
 - ODOT has indicated that a blue dot on a tree indicates the tree will be removed;
 - The tree will be inventoried with a bar code system on a plastic tag wrapped around each log:
 - The bar code tracks the tree after removal;
 - ODOT will be able to track the tree's location;
 - Property owners will be able to claim trees that were located on their property prior to the wildfires; and

- If a private property owner's trees are destroyed, then the state will locate a suitable replacement.
 - Tree color code designations will be posted on the Wildfire Recovery page on the county's website;
 - Right-of-ways in Marion County are considered easements:
 - The tree is owned by the adjacent property owner; and
 - The county has collaborated with ODOT to ensure a system is in place that honors the right-of-way for adjacent property owners.
- Canyon leaders and city council members whose communities have been impacted by the wildfires are encouraged to participate in any meetings that they are invited to attend:
 - Meeting participation allows for questions and concerns to be addressed.
- Commissioner Cameron expressed his appreciation to Jan Fritz, Marion County Chief Administrative Officer, for her efforts to answer questions and provide assistance to communities impacted by the wildfires;
- Ms. Fritz expressed the following:
 - Communities are without water;
 - Homes were destroyed during the fire resulting in city revenue losses from lack of water payment funds;
 - The county is working with the state in an effort to find assistance;
 - The county is reviewing employment applications for a wildfire recovery coordinator to assist the impacted cities; and
 - The county wants the impacted cities to recover and be successful.
- Marion County anticipates receiving notification from Business Oregon related to a \$2 million grant;
- The county continues to ask for resource assistance to aid communities impacted by the wildfires;
- An in-person event is planned for mid-February for the City of Gates and the City of Detroit:
 - It is important for citizens in the two communities to know they have the county's support; and
 - Community members can contact the Marion County Commissioners through the following sources:
 - Email;
 - Telephone; and
 - Facebook.
- The Federal Emergency Management Agency (FEMA) has placed 12 housing units in the City of Gates to assist with housing for families displaced by the wildfires:
 - Interested residents must register through FEMA;
 - Not all applications are eligible for housing assistance; and
 - A county representative can assist with connecting a displaced resident with a FEMA representative.
- Residents in the wildfire zone may be eligible to receive assistance from FEMA for septic tank replacement due to fire damage; and

- Citizens with questions pertaining to the wildfire are encouraged to utilize social media and the Santiam Canyon Wildfire Recovery page located on the county's website.

PUBLIC HEARINGS

9:30 A.M.

None.

Commissioner Bethell read the calendar.

Commissioner Cameron adjourned the meeting at 9:53 a.m.

CHAIR

COMMISSIONER

COMMISSIONER

Board Sessions can be viewed on-line at

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