

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, January 31, 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 Scott Norris 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 00:01:31)

Commissioner Cameron requested and received unanimous consent to add the 2024 Federal Agenda presentation to the Board Session Agenda.

(Video Time 00:02:02)

PUBLIC COMMENT

None.

(Video Time 00:02:06)

PRESENTATION

2024 Federal Agenda presentation. –Alvin Klausen

Summary or presentation:

- Mr. Klausen provided an overview of Marion County’s 2024 Federal Agenda:
 - The federal agenda is a list of priorities for projects and policy initiatives that will enhance Marion County;
 - The list of priorities is provided to the following, who work on the county’s behalf in Washington D.C.:
 - CFM Advocates; and
 - Oregon’s federal delegation:
 - United States Senator Jeff Merkley;
 - United States Senator Ron Wyden;
 - United States Representative Lori Chavez-DeRemer; and

- United States Representative Andrea Salinas.
- Recovery efforts from the 2020 wildfires has been an ongoing county priority:
 - The federal agenda communicates the needs of the wildfire affected communities to the following:
 - The federal delegation;
 - The Federal Emergency Management Agency (FEMA); and
 - The United States Department of Housing and Urban Development (HUD).
 - The county has been successful in advocating for funding in recent years that aids and assists wildfire survivors with:
 - Rebuilding infrastructure that was damage or destroyed; and
 - Helping to prevent future wildfires.
- Three of the county’s priorities for the 2024 Federal Agenda include:
 - The American Rescue Plan Act (ARPA) flexibility extension:
 - The county has invested a large portion of the ARPA funding on water and wastewater infrastructure;
 - Cost escalations and supply delays have impacted projects; and
 - An extension of the funding is necessary to deliver projects for Marion County residents.
 - The Marion County Bridge Replacement project:
 - Bridges in the county provide vital connectivity for the road network;
 - Ongoing timber degradation has contributed to bridge issues including:
 - Load limitations;
 - Poor conditions; or
 - Danger of falling into poor condition.
 - The county would like the United States Department of Transportation (ODOT) to assist in bringing the bridges back to a quality level that is safe and reliable for many generations into the future; and
 - Bridge replacement benefits include:
 - Enhances safety;
 - Improves access for non-vehicular traffic; and
 - Reduces fuel consumption and emissions as detours can be avoided.
 - Mobile Crisis Response Funding:
 - Senator Wyden passed a mobile crisis response bill that provided local jurisdictions with funding for mental health crisis response teams;
 - The funding does not support crisis teams that include a law enforcement officer;

- The county has a successful system that provides a coordinated response of both a behavioral health professional and a law enforcement officer;
- Mental health professionals can safely navigate complex and volatile situations because law enforcement is providing security; and
- The county supports revising an existing statute that would allow local governments to leverage funding in a way that best suits the needs of the operators.

Board discussion:

- Commissioner Cameron expressed the following:
 - The federal agenda is an annual occurrence;
 - The county and CFM Advocates have been successful in advocating for funding in Washington D.C. that assists Marion County citizens;
 - The county focuses on the federal agenda throughout the year;
 - It is important that the county gets their federal tax dollars back to work on issues that are important to county residents;
 - The county would like to receive funding that assists with local bridges; and
 - The ARPA extensions are critical to projects that will impact future generations.
- Commissioner Willis expressed that the federal and state governments have changed the way that they rate bridges.

(Video Time 00:10:24)

CONSENT

BOARD OF COMMISSIONERS

OLCC Application – Recommended Approval

1. Micheladas y Antojitos El Perico, LLC, dba, Micheladas y Antojitos El Perico – Salem, Oregon

PUBLIC WORKS

2. Approve the Contract for Services with Perennial Energy, LLC in the amount of \$261,226 for the purchase and installation of equipment to replace an existing landfill gas blower and flare system at the North Marion Recycling and Transfer Station (NMRTS) through December 31, 2026.

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

(Video Time 00:11:21)

ACTION

PUBLIC WORKS

3. Consider approval of the incoming funds Grant Agreement with the Oregon Department of Emergency Management (OEM) in the amount of \$216,000 for the Hazard Mitigation Grant Program (HMGP), Underserved and Rural Community Population and Infrastructure Vulnerability Assessment through March 14, 2025. –Greg Walsh

Summary of presentation:

- Staff is requesting approval to accept the incoming grant funds for the Hazard Mitigation Grant Program (HMGP);
- The project assesses communities to determine vulnerable population areas and find ways to appropriately take care of them;
- The project includes an assessment of underserved, rural, and hard to reach areas in the community; and
- This allows the prioritization of efforts with organizations across the state to help communities.

Board discussion:

- The county will partner with the University of Oregon (UO) to send planners and evaluators into underserved and rural communities to assess risks and response times in order to develop an effective evacuation strategy;
- There may be recommendations or guidance for ways the county can improve their system;
- The contract language does not mention the UO or list the scope of work the university will provide;
- Commissioner Willis expressed the following:
 - The contract was discussed in detail at a Management Update meeting;
 - During the Management Update meeting, the commissioners requested that Mr. Walsh take a strong leadership role in managing the contract;
 - The Oregon Department of Emergency Management (OEM) wants to provide funding to the county for emergency planning:
 - OEM wants the UO team to provide the planning.
 - He does not feel the state should be telling the county who to hire and what to do;
 - If the state wants to perform emergency planning and hire a specific group, then the state should be doing the project;
 - If the county is going to perform the emergency planning, then the county should oversee the project and the deliverables;
 - He does not want this to be a pass-through process;
 - His expectation is that the county will oversee the work;
 - There was discussion in the Management Update meeting about potentially putting out a Request For Proposal (RFP):

- In the meeting, staff expressed that the UO was the best research group to perform the work.
- The UO has the historical experience of providing plans that have been accepted by the Federal Emergency Management Agency (FEMA);
- The county wants to make sure that the regulatory requirements for the grant funding are met;
- The UO has been successful with similar projects for multiple counties;
- The county had a hazard mitigation plan that was done previously where the commissioners were not consulted in the beginning of the planning:
 - The board wants to be included in the entire planning process.
- Commissioner Bethell expressed the following:
 - She is not comfortable with the way the contract is written;
 - The UO is not listed in the contract at all;
 - The scope of work that the UO team will perform is not listed;
 - The budget language in the contract is vague; and
 - She was not present at the Management Update meeting due to being at a conference in Washington D.C.
- Commissioner Willis expressed that he wants Commissioner Bethell to be comfortable with the contract;
- The contract is with OEM;
- Mr. Walsh expressed that he believes the UO is included in the current contract;
- The UO is not listed anywhere in the current contract;
- Commissioner Cameron and Commissioner Willis expressed potentially tabling the contract to allow Commissioner Bethell more time for review;
- Commissioner Bethell expressed the following:
 - The county has received funding for Marion County Health and Human Services (MCHHS) to perform similar work;
 - Evacuation and identification were discussed in a prior Management Update meeting;
 - The contract with the Oregon Health Authority (OHA) was very specific about how the incoming funds were to be utilized;
 - There was a detailed discussion at the meeting to make sure the OHA contract fit the needs of the county;
 - There were concerns with the hazard mitigation plan having a fair amount of state policy that could impact county citizens in a potentially harmful way;
 - She is not comfortable signing a contract where the intent is not clearly defined;
 - The contract lacks scope of work details;
 - She is happy to meet with Mr. Walsh at a future date to further discuss and review the contract; and
 - It is unclear where the incoming funding is going.
- The commissioners made the decision to table the contract for further review and discussion.

MOTION: Commissioner Willis moved to table the item for further discussion and return to board session on February 7, 2024. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:22:12)

4. Consider approval of the incoming funds Transportation Safety Office Grant Agreement with the Oregon Department of Transportation in the amount of \$149,751 for the creation of a Transportation Safety Action Plan (TSAP) for the Marion County roads system through September 30, 2024. –Carl Lund

Summary of presentation:

- A contract for the Transportation Safety Action Plan (TSAP) was approved in 2023:
 - The contract's term date has expired:
 - There was a short window of time from receipt of the funding to the contract's ending term date;
 - The short time frame prevented the county from renewing the funds;
 - The funding has now increased because the county was unable to renew the prior funds; and
 - The renewal will allow the county to utilize the funding for more projects.

Board discussion:

- This is a plan to receive federal grant funding:
 - For a project to be funded it needs to be specified in a plan:
 - Currently it is unknown what projects will be added; and
 - Projects will be based on data and collaboration with consultants:
 - Consultants will assist the county to determine the most beneficial projects; and
 - The collected data will determine some of the following:
 - Where the most crashes occur;
 - Where the most injuries occur; and
 - Where the most loss of life occurs:
 - Data from 2016–2020 shows there were more drinking and driving fatality crashes in Marion County than the state's average.
- The county works with a behavioral psychologist that is a data specialist to identify how individuals behave on roads:
 - The county wants to identify ways to get individuals to act more appropriately and be safer on the roadways.
- Researching how individuals make decisions on roadways is an innovative concept;
- Staff is hoping to meet term date deadlines;

- There are federal funding restrictions, so it is beneficial to the county to meet the term date deadlines.

Motion: Commissioner Bethell move to approve the incoming funds Transportation Safety Office Grant Agreement with the Oregon Department of Transportation in the amount of \$149,751 for the creation of a Transportation Safety Action Plan (TSAP) for the Marion County roads system through September 30, 2024. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:28:13)

5. Consider approval of the Intergovernmental Agreement with the Oregon Department of Transportation (ODOT) for Phase 2 of the I-5: Aurora – Donald Interchange (Exit 278) Improvements Project. –Lani Radtke

Summary of presentation:

- Phase 2 of the Intergovernmental Agreement (IGA) with the Oregon Department of Transportation (ODOT) identifies the maintenance responsibilities;
- ODOT has been working on the project for multiple years:
 - Phase 1A has been completed:
 - Bents Road was realigned;
 - Temporary signals at Bents and Ehlen Roads were installed; and
 - Work was performed on the northbound off-ramp and the adjacent sound wall.
- Funding for Phase 2 has been secured;
- The scope of work for Phase 2 entails:
 - Replacing Interstate 5 (I-5) bridges;
 - Realigning I-5 lanes for the new bridge; and
 - Reconfiguring a diverging diamond interchange.
- The project will improve safety and increase efficiency;
- Motorist will need time to adjust to a diverging diamond interchange:
 - Vehicles traveling through the interchange will shift from the right side of the road to the left side, and then back to the right side again; and
 - It is anticipated that this will improve safety and efficiency as some of the turning movements that cause issues will be removed.
- Three new traffic signals will be installed in the corridor;
- Dolores Way will be realigned in Phase 2 of the project;
- ODOT will bid in the next month;
- The IGA identifies the maintenance responsibilities:
 - ODOT is responsible for the following:
 - I-5 maintenance;
 - Ehlen Road, between the interchange ramps; and

- The two signals are located at the interchange ramps.
- Marion County is responsible for the following:
 - The road outside of the interchange ramps;
 - One new signal; and
 - The realignment of Dolores Way.

Board discussion:

- ODOT requires all accesses to be moved at least a quarter of a mile from the interchange:
 - Dolores Way will be realigned to the east.
- Phase 2 is the projects final phase;
- The project was broken down into phases to align with the funding:
 - There are different funding deadlines when there are different funding sources; and
 - Phase 1 was completed before funding for Phase 2 was secured.
- ODOT will be replacing the temporary signal:
 - The county will be responsible for the signal on Bents Road;
 - ODOT will maintain the signal; but
 - The county will be financially responsible for the work that ODOT performs.
- It is anticipated that construction will start in 2024;
- The project is estimated to take three and a half years to complete;
- Staff will be presenting more detour information in the future;
- The state has kept the county informed throughout the entire process;
- The interchange project impacts the entire region;
- ODOT manages public outreach and involvement for state projects:
 - Ms. Radtke will suggest to ODOT that they include Yamhill County in their public outreach process.
- Cities in the area may benefit from a community meeting to provide status updates for the project:
 - Public involvement and feedback will be critical; and
 - The Sheriffs for both Marion County and Yamhill County may have different or new perspectives on traffic plans for the project.

MOTION: Commissioner Willis moved to approve the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation (ODOT) for Phase 2 of the I-5: Aurora – Donald Interchange (Exit 278) Improvements Project. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:40:00)

6. Consider approval of the Contract for Services with United Disposal Service, Inc., dba, Republic Services of Marion County in the amount of \$5,000,000 for the hauling of waste from the North Marion County Disposal Facility retroactive to January 1, 2024, through December 31, 2028. –Andrew Johnson

Summary of presentation:

- The North Marion County transfer station is located north of the City of Woodburn;
- Republic Services is the franchise hauler of the area;
- The location is logistically convenient for area residents to discard the following:
 - Recycling;
 - Garbage; and
 - Yard debris.
- The North Marion County Disposal Facility services approximately 55,000 residents and businesses throughout the year;
- The facility accepts approximately 30,000 tons of disposed material annually;
- The contract allows the county to continue to provide the service to residents;
- Anything that goes into the facility must eventually be hauled away;
- The contract is for five years;
- There is an option to extend the contract for an additional five years;
- The contracts value of five million covers the first five years of service:
 - This includes any additional volume and any annual increases.

Board discussion:

- Commissioner Cameron requested a report that identifies customer volume and tonnage by zip codes:
 - Approximately 15 percent of the visitors to the Salem Keizer Recycling and Transfer Station (SKRTS) are non-county residents; and
 - Approximately 30 percent of the visitors to the North Marion County Disposal Facility are not Marion County residents:
 - Primary visitors to this facility are from the following counties:
 - Clackamas;
 - Multnomah; and
 - Washington.
 - The revenue from the facility is not keeping up with the costs to run the facility;
 - The location is convenient for nearby residents to drop off large, bulky items;
 - The facility has been expanded due to lift-bed trailers and construction entities bringing larger loads:
 - Equipment size has been increased;
 - The number of employees has increased; and

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2023\1-31-2024

- The facility is not designed to handle the capacity that is coming in.
- The contract is an up to amount of \$5,000,000:
 - The previous contract had restrictions for where the product could be hauled to; and
 - This contract has more flexibility for rates and locations.
- Commissioner Bethell expressed that people to the north of Marion County pay considerably more for their trash to be picked up or dropped off at a disposal site in another county:
 - She would like to know where non-county residents can take their unwanted materials that is not a Marion County disposal site;
 - She would like to know the disposal rates for facilities located in other counties; and
 - Marion County residents should not have to pay the bill for non-county residents to dispose of their waste at a Marion County site.
- Rate options need to be explored for non-county residents to dispose of their waste at a Marion County site;
- Residents in other counties should visit disposal sites within their own county; and
- The county wants to protect Marion County residents:
 - The county does not want to increase disposal rates for Marion County citizens because non-county citizens are utilizing our sites.

MOTION: Commissioner Bethell moved to approve the Contract for Services with United Disposal Service, Inc., dba, Republic Services of Marion County in the amount of \$5,000,000 for the hauling of waste from the North Marion County Disposal Facility retroactive to January 1, 2024, through December 31, 2028. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:51:39)

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

None.

(Video Time 00:51:43)

Board discussion:

- Commissioner Bethell expressed the following:
 - Oregon’s governor is proposing significant tax packages for the following:
 - Property taxes;
 - Sales taxes; and
 - Gas taxes.
 - Many residents are not in favor of the increases;

- A property tax has been proposed on all Oregon properties for wildfire recovery efforts;
- There are multiple tax packages that legislature will be moving in a short time-period:
 - The increases will negatively impact citizens.
- Pacific Power and Portland General Electric (PGE) recently increased their rates:
 - These companies are the primary utility providers for Marion County; and
 - The significant rate increases will impact all residents including low-income residents.
- She would like residents to be aware of what is being proposed by the governor and the legislature:
 - Oregon residents have no control over unelected bureaucrat appointments:
 - These are individuals appointed by the governor; and
 - Citizens are stuck with whomever is appointed.
- Oregon residents are encouraged to show up at the legislative session and use their voices to speak-up about the proposed tax packages:
 - Legislators' need to see and hear the public; and
 - Legislators' financial decisions are negatively impacting citizens' livability.
- Commissioner Willis expressed the following:
 - He is especially concerned with the proposed property tax increases;
 - The agreement that the assessed value of properties will go up no more than three percent a year creates stability in the system for both taxpayers and the governments:
 - He does not want a system where there are huge fluctuations in property tax bills:
 - This can impact a property owner's ability to stay in their home.
 - A government's first rule is to do no harm; and
 - Newer politicians are less aware of the potential negative impacts on individuals.
- Commissioner Bethell expressed the following:
 - Legislators and the governor don't understand what it means to live paycheck to paycheck;
 - Some homes are unable to withstand environmental impacts:
 - Individuals living in homes with older windows can pay more for heat.
 - Legislators express that they want to take care of the working class:
 - The decisions they are making are not taking care of the working class.
 - These legislative items should be discussed in detail and not pushed through in a legislative short session.
- Commissioner Cameron expressed the following:

- Many residents are not aware of what the legislature does and who their elected officials are;
- It is important to educate younger generations about civic rights and responsibilities;
- The public needs to have the confidence to speak to their representatives;
- The last legislative session was the first in-person session since 2019:
 - Lobbyist have not had the opportunity to appear in-person to discuss issues for multiple years; and
 - Elected officials have been able to do what they want without any interaction or feedback.
- Local level government is where decisions can make a difference in peoples' lives.
- Commissioner Bethell expressed the following:
 - The proposed tax packages can negatively impact every person; and
 - The commissioners must consider what the state is doing and what the state is taking from the citizens and then try to create a livable and affordable space for county residents:
 - State decisions are making the jobs of local level governments much more difficult and more emotional; and
 - Every time it is agreed to spend someone else's money prevents that individual from doing what they want.

Commissioner Cameron adjourned the meeting at 10:07 a.m.



 CHAIR


 COMMISSIONER


 COMMISSIONER

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