

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, January 5, 2022
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Danielle Bethell, Commissioner Colm Willis, and Commissioner Kevin Cameron. Also present were Jan Fritz, chief administrative officer, Jane Vetto as county counsel, and Brenda Koenig as recorder.

Commissioner Bethell called the meeting to order at 9:00 a.m.
Commissioner Willis arrived at 9:24 a.m.

PUBLIC COMMENT

(Video Time 00:19:58)

Rebeca Ramirez:

- Ms. Ramirez expressed the following:
 - She lives in the City of Keizer;
 - There has been an increase in criminal activity in the city;
 - She is a small business owner who has been the victim of theft multiple times;
 - Her home has been burglarized;
 - Small businesses are more likely to be impacted by crime than larger businesses;
 - She feels defending her property may result in her being incarcerated;
 - She has reported the crimes to the authorities but feels there has been no follow-up efforts;
 - She was raised by an amazing foster care family after being removed from an environment where alcohol and abuse were present; and
 - Communities need to focus on youth and providing good environments for all children.

Board discussion:

- Commissioner Bethell expressed the following:
 - A video was posted online of a theft that had taken place at a business located in the City of Keizer;
 - There has been an increase in crime nationwide;
 - There is not enough capacity in area jails to hold low level offenders;
 - Multiple agencies are working together to find solutions to this issue;
 - Individuals in the county's jail are not low-level offenders; and

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- All crimes should be reported so that they can be tracked.
- Commissioner Cameron expressed the following:
 - Multiple cities located in Marion County are struggling with an increase in crime;
 - Individuals are not being held accountable for their actions; and
 - The board is working on solutions that are within their authority.
- Commissioner Willis expressed the following:
 - Charges are brought against individuals under state statute;
 - Local officers can arrest an individual, but state law will determine if the individual goes to prison;
 - State policy prioritizes personal crimes and deemphasizes property crimes; and
 - The justice system is challenged when it comes to persistent property crime.
- The commissioners expressed their appreciation to Ms. Ramirez for attending board session and sharing her concerns and experiences.

(Video Time 00:00:55)

CONSENT

HUMAN RESOURCES

1. Approve an order to extend the date through June 30, 2022, granting leave to all regular Marion County employees for isolation and quarantine purposes during a COVID-19 pandemic surge.

Board discussion:

- The original order expired on December 31, 2021;
- The board order is retroactive to January 1, 2022;
- There has been no time break from the original board order; and
- Updates related to employee leave due to the COVID-19 pandemic surge was reported at a prior Work Session meeting:
 - County employees have been able to utilize the quarantine leave with the reported increase in positive cases.

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

(Video Time 00:02:02)

ACTION

PUBLIC WORKS

2. Consider approval of Amendment #1 to the Intergovernmental Agreement with the Oregon Department of Transportation to add \$92,000 for a new contract total of \$297,000 of which an estimated \$262,551.77 will be paid with federal funds, an estimated \$25,000.23 will be paid with Marion County funds, and an estimated \$9,448 will be paid by the City of Salem for the Cordon Road and Kuebler Boulevard Corridor Study and Management Plan through January 13, 2030.
–Lani Radtke and Janelle Shanahan

Summary of presentation:

- The amendment is revisiting a project that was presented at a prior board session;
- The project will study traffic operations throughout the Cordon Road Corridor from Kuebler Boulevard to Hazelgreen Road and Chemawa Road;
- A consultant will be conducting traffic operations to determine if any improvements are needed to maintain a bypass function:
 - This will also entail a staging plan.
- The project is being funded by a Salem-Keizer Area Transportation Study (SKATS) grant:
 - The original SKATS grant was for \$205,000;
 - Amendment #1 entails the following:
 - Increases grant funding by an estimated \$92,000; and
 - Increases the study's length from 10 miles to an estimated 12 miles.
- The area being added is within the City of Salem limits:
 - The city will pay an estimated 10.27 percent match; and
 - The city's match is estimated to be \$9,448.
- The request is to approve the Intergovernmental Agreement (IGA) for the additional funding; and
- There is no additional financial contribution required from the county for the grant match.

Board discussion:

- Federally funded contracts typically have long time frames for construction projects:
 - There are warranty periods that need to be considered.
- The project is estimated to take approximately 20 months.

MOTION: Commissioner Cameron moved to approve Amendment #1 to the Intergovernmental Agreement with the Oregon Department of Transportation to add \$92,000 for a new contract total of \$297,000 of which an estimated \$262,551.77 will be paid with federal funds, an estimated \$25,000.23 will be paid with Marion County funds, and an estimated \$9,448 will be paid by the City of Salem for the Cordon Road and Kuebler Boulevard Corridor Study and Management Plan through January 13, 2030. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

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(Video Time 00:06:40)

3. Consider approval of Amendment #2 to the Contract for Services with TFR Enterprises, Inc. to add \$1,800,000 for a new contract total of \$2,400,000 for Winter Storm 2021 tree and vegetative debris removal services through September 30, 2022. –Scott Wilson

Summary of presentation:

- The February 2021 winter storm resulted in heavy damage to county trees;
- Tree damage has resulted in trees and woody debris threatening or falling in the following county locations:
 - Right-of-way's;
 - Parks; and
 - Other county properties.
- The impacts from the winter storm have required the removal of numerous trees:
 - The trees have hazardous limbs that are affecting their health.
- Marion County Public Works formally solicited for bids from tree service companies to provide the following:
 - Hazardous hanger removal;
 - Hazardous tree removal;
 - Hazardous tree stump removal; and
 - Woody debris cleanup.
- The original contract with TFR Enterprises, Inc. was approved by the board on October 27, 2021;
- On October 27, 2021, the board also approved a contract with another vendor to provide monitoring and oversight services for the hazardous tree and debris removal;
- Work to remove the remaining hazardous trees and hangers began on November 8, 2021;
- The two companies are working in tandem, seven days a week to complete the removal project;
- A significant number of additional hazard trees and tree hangers have been identified that require removal;
- Amendment #1 to the original contract provided for the following:
 - Continued the contract with the vendor TFR Enterprises, Inc.;
 - Allowed staff to continue the removal work;
 - Avoided project completion delays; and
 - Increased the contract from \$500,000 to \$600,000.
- Amendment #2 to the original contract will provide for the following:
 - Continue the contract with vendor TFR Enterprises, Inc.; and
 - Increase the contract from \$600,000 to \$2,400,000:
 - The increase is based on the revised quantity of hazardous trees and tree hangers requiring removal.
- Federal reimbursement of funds is expected at a rate of 75 percent;
- Options for the board to consider include:
 - Approve Amendment #2 to the contract with TFR Enterprises, Inc.; or

- Take no action at this time.
- Staff recommends approval of Amendment # 2 to the Contract for Services.

Board discussion:

- Road funds will be utilized for 25 percent of the funding:
 - All the work being performed is occurring within the road right-of-way.
- The county may be eligible to receive Federal Emergency Management Agency (FEMA) funds for the removal project;
- TFR Enterprises, Inc. is an out-of-state company;
- A competitive bid process was needed to comply with FEMA's requirements for full reimbursement:
 - The county solicited for bids;
 - Three bids were received; and
 - TFR Enterprises, Inc. submitted the lowest bid.
- TFR Enterprises, Inc. provided a subcontractor out of northern California at the start of the contract:
 - The company had to make some adjustments and increase the number of workdays required to start the work;
 - TFR Enterprises, Inc. employees were more productive than the employees provided by the subcontractor;
 - The contractor advised county staff that some employees were hired locally to assist with the removal efforts; and
 - An additional crew was recently hired to expedite the removal efforts.
- The work on the removal project is four times larger than originally estimated;
- Work is anticipated to be completed by the end of September 2022:
 - Staff increases are assisting with expediting the project; and
 - Weather may impact the completion date.
- Hangers are defined as broken limbs that are found on the trees:
 - It is unknown when the hanger limbs will fall;
 - They do pose a threat to safety; and
 - The limbs are eligible for FEMA reimbursement.
- Leaners are defined as trees that are six inches in diameter or greater that are leaning more than 30 percent:
 - Ice from the storm contributed to the trees leaning more than 30 percent; and
 - A contractor is on-site with crews monitoring, documenting with photos, and mapping the trees to meet FEMA requirements.
- There are numerous debris piles, located all over the county, that still require removal.

MOTION: Commissioner Cameron moved to approve Amendment #2 to the Contract for Services with TFR Enterprises, Inc. to add \$1,800,000 for a new contract total of \$2,400,000 for Winter Storm 2021 tree and vegetative debris removal services through September 30, 2022. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:16:11)

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

None.

(Video Time 00:16:21)

Commissioner Cameron read the calendar;

(Video Time 00:19:58)


Commissioner Bethell requested unanimous consent to return to Public Comment.

(Video Time 00:37:21)


Commissioner Bethell adjourned the meeting at 9:37 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

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