

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, December 23, 2020
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Colm Willis, Commissioner Sam Brentano and Commissioner Kevin Cameron. Also present were Jane Vetto, as county counsel and Brenda Koenig, as recorder.

ABSENT: Jan Fritz, chief administrative officer

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

PUBLIC COMMENT

None.

PRESENTATION

(Video Time 00:00:55)

Craig Pope, Polk County Commissioner

- Mr. Pope presented an award to Commissioner Sam Brentano from the Association of Oregon Counties (AOC) in recognition of Commissioner Brentano's service to Marion County and the AOC.

(Video Time 00:06:33)

Kristen Mitchell, Executive Director, Oregon Refuse and Recycling Association

- Ms. Mitchell thanked Commissioner Sam Brentano for his service and loyalty.

(Video Time 00:11:33)

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, December 23, 2020:
 - There are currently an estimated 12,894 cases within the county;
 - An estimated 201 individuals have died from symptoms related to COVID-19; and
 - An estimated 62 people are being monitored in the hospital.
- The current positivity rate is 9.1 percent;

- Case follow-up numbers are improving, partially due to a reduction in the number of questions being asked;
- The current hospital capacity within Region 2 is as follows:
 - There are 787 adult non-Intensive Care Unit (ICU) hospital beds:
 - An estimated 154 adult non-ICU beds are available.
 - There are 127 adult ICU hospital beds:
 - An estimated 41 adult ICU beds are available.
- Last week Oregon received 35,100 doses of the Pfizer COVID-19 vaccine:
 - An estimated 25,000 were distributed to hospitals; and
 - An estimated 10,000 were distributed to skilled nursing facilities.
- Salem Health received a shipment of the Pfizer COVID-19 vaccine and started vaccinating hospital personnel;
- Oregon will receive an additional 25,000 doses of the Pfizer COVID-19 vaccine this week:
 - An estimated 19,500 doses will be distributed to hospitals; and
 - An estimated 5,850 doses will be distributed to skilled nursing facilities.
- Salem Health will be receiving additional doses of the Pfizer COVID-19 vaccine;
- Oregon anticipates receiving 72,000 doses of the Moderna COVID-19 vaccine in the first shipment:
 - These doses will be distributed to hospitals:
 - Santiam Hospital; and
 - Other state facilities within Marion County.
- There is a new data dashboard on the Oregon Health Authority (OHA) website related to vaccine administration:
 - An estimated 7,200 Oregonians have been administered the first dose of the vaccine:
 - An estimated 691 were Marion County residents.
- Currently only frontline health care workers and skilled nursing facilities are receiving the vaccine;
- The state has established a vaccine advisory committee that will be comprised of a diverse group of community members:
 - The committee will ensure that the vaccine is distributed equitably; and
 - It is anticipated that the committee member selection will be finalized shortly.
- Marion County Health and Human Services (MCHHS) has been receiving a lot of questions about how the vaccine works:
 - The vaccine does not contain the virus;
 - The vaccine does not affect an individual's DNA; and
 - Information about the vaccine is located on the MCHHS website.
- A COVID- 19 testing event is being held next Wednesday, December 30, 2020, at 3:00 p.m.:
 - The event will be held at the Oregon State Fairgrounds;
 - Information can be found on the MCHHS website; and
 - Preregistration is requested.

Board discussion:

- No discussion.

CONSENT

(Video Time 00:17:48)

FINANCE

Approve Amendment #6 to the Cable Television Franchise Agreement with Wave Division VII, LLC, doing business as Wave Broadband, to extend the term of the agreement for cable television services to December 31, 2021.

HEALTH AND HUMAN SERVICES

Approve Amendment #2 to the Contract for Services with Partnership in Community Living, Inc. to add \$46,352 for a new contract total of \$145,604 for the provision of client foster care services through June 30, 2021.

HUMAN RESOURCES

Approve an order reappointing Mitch Teal as a Private Member Sector Representative for the Mid-Willamette Valley Area Commission on Transportation (MWACT) with a term ending December 31, 2022.

Approve an order appointing Steven Bergmann, Todd Merklin, and Susan Wilson to the Marion County Compensation Board with terms ending December 31, 2021.

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

ACTION

(Video Time 00:19:45)

BOARD OF COMMISSIONERS

1. Consider approval of an order appointing Kevin Cameron as Chair, Danielle Bethell as Vice Chair, and Colm Willis as Second Vice Chair of the Marion County Board of Commissioners to serve from January 4, 2021, until the first Monday in January, 2022. –Jane Vetto

Summary of presentation:

- The appointment of the chair is pursuant to ORS 203.240; and
- The county has a practice of appointing a Vice Chair and Second Vice Chair.

Board discussion:

- Commissioner Willis thanked Commissioner Brentano for allowing Commissioner Willis to Chair this year; and
- Commissioner Brentano addressed the hurdles over the past year and recognized that Commissioner Willis has done a terrific job.

MOTION: Commissioner Brentano moved to approve an order appointing Kevin Cameron as Chair, Danielle Bethell as Vice Chair, and Colm Willis as Second Vice Chair of the Marion County Board of Commissioners to serve from January 4, 2021, until the first Monday in January, 2022. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:23:42)

2. Approve an order establishing the committee and commission appointments for Marion County elected officials for 2021. –Jane Vetto

Summary of presentation:

- The order updates the annual committee assignments for all county elected officials:
 - The board order and the attached committee assignments show the breadth of all the official assignments and what is handled throughout the year.

Board discussion:

- Commissioner Willis noted two changes that need to be addressed:
 - The Mid-Willamette Valley Homeless Alliance is independent of the Council of Governments (COG); and
 - Commissioner Willis no longer serves on the public affairs committee.

MOTION: Commissioner Cameron moved to approve an order, with noted changes, establishing the committee and commission appointments for Marion County elected officials for 2021. Seconded by Commissioner Brentano.

Commissioner Cameron withdrew the prior motion. Agenda item to be rescheduled for a future board session pending further review.

(Video Time 01:11:39) (Time listed to reflect when public hearing was closed and motion made to approve the resolution)

FINANCE

3. Consider approval of a resolution to adopt the first supplemental budget for fiscal year 2020-21. **(TO BE ACTED ON FOLLOWING THE PUBLIC HEARING)** –Jeff White

(Video Time 00:27:26)

HEALTH AND HUMAN SERVICES

4. Consider approval of a Contract for Services with Bethany Jensen in the amount of \$166,400 to provide psychiatric mental health nurse practitioner services to individuals in in outpatient programs at Marion County Health and Human Services through December 31, 2021. –Cydney Nestor

Summary of presentation:

- Ms. Jensen will be working up to 32 hours a week in adult behavioral health and children's behavioral health outpatient programs;
- Ms. Jensen is a new prescriber; and

- Ms. Jensen did her practicum with Marion County Health and Human Services (MCHHS) in adult behavioral health.

Board discussion:

- Ms. Jensen will be working with both adults and children;
- The current number of people doing similar outpatient work includes:
 - Eight prescribers, two psychiatrists, and six psychiatric nurse practitioners in the mental health programs;
 - One doctor in the addiction treatment services program;
 - MCHHS contracts with Locum Tenens for short term needs within Children’s Behavioral Health (CBH); and
 - One psychiatrist working with the Early Assessment and Support Alliance (EASA).
- Ms. Jensen will provide psychiatric mental health assessments, and prescribe psychiatric medications as needed;
- An estimated 80 percent of the adults in the county’s behavioral health programs are prescribed medicine, and less than 10 percent of the children are prescribed medicine;
- Ms. Jensen will be working with children one day a week, with adults two days a week, and there is a buffer in the contract for more hours if needed; and
- Because Ms. Jensen is a new prescriber, the contract term is for one year rather than the standard three to ensure a good fit.

MOTION: Commissioner Brentano moved to approve a Contract for Services with Bethany Jensen in the amount of \$166,400 to provide psychiatric mental health nurse practitioner services to individuals in outpatient programs at Marion County Health and Human Services through December 31, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:32:23)

5. Consider approval of the Contract for Services with Lori Linton-Nelson in the amount of \$457,600 to provide psychiatric mental health nurse practitioner services to individuals in the Enhanced Care Facility program through December 31, 2023. –Cydney Nestor

Summary of presentation:

- Ms. Linton-Nelson has worked with the county for over 12 years; and
- Ms. Linton-Nelson’s primary role entails the following:
 - Serves primarily in a consultation role to staff;
 - Provides psychiatric mental health assessments and prescribes some medicine; and
 - Works as a liaison with individuals’ primary care providers.

Board discussion:

- No discussion.

MOTION: Commissioner Cameron moved to approve a Contract for Services with Lori Linton-Nelson in the amount of \$457,600 to provide psychiatric mental health nurse practitioner services to individuals in the Enhanced Care Facility program through December 31, 2023. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:34:57)

INFORMATION TECHNOLOGY

6. Consider approval of the Purchase Order Contract with Clonetab, Inc. in the amount of \$118,340 for database virtualization and a cloning module for the county's Oracle ERP software system. –Scott Emry

Summary of presentation:

- On December 9, 2020 the Information Technology Department came to board session with a procurement request for software that assists with managing changes to existing Oracle Business Suite software;
- The Sole Source request for purchasing the Clonetab automation tool was posted for seven business days and no challenges were recorded; and
- The contract includes the first year of software maintenance and support.

Board discussion:

- This item was reviewed at Contract Review Board in a prior board session; and
- Mr. Emry briefly described what database virtualization is, and what a cloning module is.

MOTION: Commissioner Brentano moved to approve the Purchase Order Contract with Clonetab, Inc. in the amount of \$118,340 for database virtualization and a cloning module for the county's Oracle ERP software system. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:39:44)

PUBLIC WORKS

7. Consider approval of an order establishing a policy for the temporary reduction in the cost to obtain building and septic permits from Marion County Building Inspection for property owners rebuilding or repairing secondary residences damaged or destroyed by wildfires in September 2020. –Brandon Reich

Summary of presentation:

- Waivers for primary homes were approved in a prior session;
- This order is for secondary homes; and
- Fees collected by the state and cities are not waived:
 - These fees are outside the county's jurisdiction.

Board discussion:

- Citizen feedback contributed to this request;
- Waivers are for two years for secondary homes and five years for primary homes;

- The program is not paid for by property taxes;
- The program is self-funded within the department;
- There is a potential \$1.8 million loss of revenue within the department:
 - Reserves are available to fund the program; and
 - The dollar amount of potential loss of revenue has been adjusted to \$1.5 million based on the recent Marion County Assessor survey.
- Fees were originally waived for primary home owners to get them back in their homes as quickly as possible;
- The budget was reviewed to ensure funding is available;
- The Order is backdated to September 8, 2020;
- Refunds will be processed for individuals who have already applied;
- Citizens are not required to participate in the fee waivers; and
- Commissioner Cameron disclosed that he will not be applying for the fee waiver for his home.

MOTION: Commissioner Cameron moved to approve an order establishing a policy for the temporary reduction in the cost to obtain building and septic permits from Marion County Building Inspection for property owners rebuilding or repairing secondary residences damaged or destroyed by wildfires in September 2020. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:48:34)

8. Consider approval of the Intergovernmental Agreement with the Oregon Military Department, Office of Emergency Management for the reimbursement of federal funding provided by the Federal Emergency Management Agency (FEMA) for eligible costs and activities related to the Wildfires and Straight-Line Winds through June 30, 2027. –Kathleen Silva

Summary of presentation:

- This agreement is for reimbursement of eligible costs in categories A through G, though the FEMA Public Assistance program; and
- The agreement is a 75 percent federal cost share with a 25 percent local match.

Board discussion:

- The program takes a long time to receive reimbursement from the federal government; and
- Commissioner Cameron thanked Ms. Silva and her team for their hard work this past year.

MOTION: Commissioner Brentano moved to approve an Intergovernmental Agreement with the Oregon Military Department, Office of Emergency Management for the reimbursement of federal funding provided by the Federal Emergency Management Agency for eligible costs and activities related to the Wildfires and Straight-Line Winds through June 30, 2027. Seconded by Commissioner Cameron motion carried. A voice vote was unanimous.

(Video Time 00:51:33)

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

CONTRACT REVIEW BOARD ACTION

HEALTH AND HUMAN SERVICES

1. Consider approval of an order for a Contract Specific Special Procurement exemption to allow the use of a Contract for Services for financial assistance to Pelton Project retroactive to December 1, 2020, through December 31, 2020. –Ryan Matthews and Justin Ford

Summary of presentation:

Justin Ford:

- There is currently an Intergovernmental Agreement (IGA) with Oregon Health Authority (OHA) that directs Health and Human Services to provide financial assistance to the development of a new mental health services site that will be used for the duration of the COVID-19 crisis.

Ryan Matthews:

- During the COVID-19 crisis Oregon State Hospital (OSH) has had difficulty transitioning people out;
- CARES Act funding was offered to local providers who would be willing to increase capacity or develop new operations:
 - The county was not involved.
- Funding was awarded through OHA to Pelton Project to open a new five bed facility; and
- OHA is using Marion County as a pass-through entity:
 - The agreement is before the board to determine if this is something the county wishes to support.

Board discussion:

- Commission Brentano expressed concern regarding the following:
 - OHA did not work with Marion County;
 - The county will receive no administrative fees; and
 - Potential liability could be placed on Marion County.
- Commissioner Willis expressed frustration over the following:
 - He takes issue with the incarceration of individuals who should be in mental health facilities;
 - The county will receive no reimbursement for the work involved;
 - The county will take on the liability;
 - The state did not provide adequate information to the county; and
 - He believes OHA is taking the county for granted.

MOTION: Commissioner Cameron moved to approve an order for a Contract Specific Special Procurement exemption to allow the use of a Contract for Services for financial assistance to Pelton Project retroactive to December 1, 2020, through December 31, 2020. Seconded by Commissioner Willis; motion carried 2-1 with Commissioner Brentano voting no.

***Adjourned as Contract Review Board.
Reconvened as Board of Commissioners.***

(Video Time 01:02:44)

HEALTH AND HUMAN SERVICES

1. Consider approval of the Contract for Services with Pelton Project for financial assistance in the amount of \$214,960 for start-up activities for the development of Sequoia Home mental health services during the COVID-19 pandemic through December 31, 2020. –Ryan Matthews

Summary of presentation:

- The contract provides funding for the development of a new five-bed adult foster home;
- This opportunity was presented to Pelton Project by OHA to transition individuals out of OSH:
 - The COVID-19 crisis reduced capacities at facilities.
- The funding source is through CARES Act; and
- Marion County is serving as a pass-through entity.

Board discussion:

- Commissioner Willis supports having more capacity to house people with serious mental illnesses.

MOTION: Commissioner Cameron moved to approve the Contract for Services with Pelton Project for financial assistance in the amount of \$214,960 for start-up activities for the development of Sequoia Home mental health services during the COVID-19 pandemic through December 31, 2020. Seconded by Commissioner Willis; motion carried 2-1 with Commissioner Brentano voting no.

(Video Time 01:07:44)

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

FINANCE

A Public hearing to consider adopting the first supplemental budget for fiscal year 2020-21. –Jeff White

Summary of presentation:

- The county budget is increasing by \$37 million;
- The total county budget is now over \$500 million;
- The budget has been reviewed by the commissioners in detail;
- Public notice was posted in the Statesman Journal on December 17th, 2020;
- 33 funds were modified:
 - Seven funds included adjustments to net working capital to reflect actual beginning of year balances with corresponding adjustments to contingency reserves or fundamentals;
 - Nine funds included adjustments to net working capital to reflect actual beginning of year balances with corresponding adjustments to Materials and Services;

- General fund increased \$7 million:
 - \$5 million due to Cares Act funding:
 - \$3.5 million for COVID-19 business relief grant;
 - \$1.7 million for Beachie Creek wildfire response; and
 - \$600,000 for capital outlet expenditures in response to the pandemic:
 - \$370,000 for technology improvements to allow for social distancing.
- Health and Human Services fund increased \$14 million:
 - Mostly due to increased federal and state funding for COVID-19; and
 - Funds an additional 35 positions to assist with the pandemic.
- Public Works fund increased \$5 million:
 - Allocated to Materials and Services costs associated with the pandemic and the Beachie Creek wildfire response;
 - \$221,000 allocated to Beachie Creek wildfire response;
 - \$1.4 million for new and carry forward projects from the previous year; and
 - \$3.8 million for unappropriated ending fund balance for future expenditures.
- The Block Grant Fund was reactivated to budget for the Community Development Block Grant (CDBG) in support of Santiam Canyon recovery.

Board discussion:

- The budget has previously been reviewed in depth.

MOTION: Commissioner Brentano moved to close the public hearing and approve a resolution to adopt the first supplemental budget for fiscal year 2020-21. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 01:12:21)

Commissioner Brentano read the calendar.

(Video Time 01:14:09)

MOTION: Commissioner Cameron moved to add an item to the Action Agenda under Board of Commissioners: Consider approval of an order appointing Sam Brentano as chair of the Marion County Board of Commissioners for the December 30, 2020, board session. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

Commissioner Willis adjourned the meeting at 10:23 a.m.

CHAIR

COMMISSIONER

COMMISSIONER

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