

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, March 15, 2023

9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Colm Willis, Commissioner Kevin Cameron, and Commissioner Danielle Bethell. Also present were Jane Vetto 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.

Commissioner Willis arrived at 9:05 a.m.

(Video Time 00:00:32)

PUBLIC COMMENT

Mark Wigg:

- Mr. Wigg complemented the Commissioners on their State of the County address;
- He also thanked the Commissioners for expanding mental health counseling in the county:
 - This may help unsheltered individuals living on the streets.
- Mr. Wigg would like to see better coordination before individuals are released from the state hospital or the prisons; and
- Mr. Wigg read the names of unsheltered individuals who have died in Marion County since October:
 - Most of these individuals needed help; and
 - He would like the names of these individuals published.

Board discussion:

- Commissioner Bethell commented for the record that the Board does everything it can to convince the Oregon legislative body of the needs in our community:
 - It will take citizens being persistent for the issue to be heard.
- Commissioner Bethell will work with the District Attorney's Office to see what information could be published on unsheltered individuals who die; and
- Commissioner Cameron recently had a conversation with Senator Patterson regarding Senate Bills 488 and 1081:

- He asked Senator Patterson why she filed Senate Bill 1081 without talking to the county first; and
- Commissioner Cameron made comments regarding Senator Patterson at the State of the County, and he stands by those comments:
 - Senator Patterson impugned the Environmental Services policies in Marion County.

(Video Time 00:06:27)

PROCLAMATION

HEALTH AND HUMAN SERVICES - Action

1. Consider approval of a proclamation designating the month of March as Intellectual and Developmental Disabilities Awareness Month in Marion County. – Corissa Neufeldt; Elizabeth Vasquez Villa, Elsinore Theatre; Kevin Michael Zwart, The Salvation Army Kroc Center; and Ashley Erb, Shangri-La

Summary of presentation:

- In 1987 President Reagan declared March as Developmental Disabilities Awareness Month;
- Intellectual and Developmental Disabilities Awareness Month is an opportunity to educate the community about individuals who experience intellectual and developmental disabilities (IDD);
- Oregon was the first state to close its institutions for individuals with IDD;
- Over 3,200 children and adults receive IDD services in Marion County, and they are served by three different case management entities;
- Marion County has approximately 350 residential and foster homes that support children and adults with IDD;
- Marion County has approximately 1,600 personal support workers who support individuals with IDD who live with their families or who are living independently in the community;
- The theme for this year’s Intellectual and Developmental Disabilities Awareness Month is “Putting the Unity in Community”:
 - The community helps individuals thrive.
- Everyone can help support individuals with IDD, and following are some ideas on how support could be provided:
 - Provide accessible and affordable housing;
 - Hire individuals with IDD;
 - Promote and develop inclusive social and recreational activities;
 - Ensure your business or organization provides inclusive and accessible services;
 - Volunteer or work for an organization who supports individuals with IDD; and
 - Extend a supportive hand to a neighbor with IDD, and to their family.
- The Marion County Intellectual and Developmental Disabilities Conference starts tomorrow, March 16, 2023, at the Convention Center.

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Elizabeth Vasquez Villa, Elsinore Theatre:

- Ms. Villa is the operations manager at the Elsinore Theatre; and
- The Elsinore hosts a monthly movie event on the third Tuesday of every month:
 - The event is a series of twelve free movies shown for individuals with IDD:
 - The movies are sensory friendly and are shown with reduced volume and open captioning.
 - The events are made possible by two grants that were received:
 - The Elsinore is working to secure funding to continue the events.

Ashley Erb, Shangri-La:

- Ms. Erb is the director of community engagement for Shangri-La;
- Shangri-La is a non-profit organization working in Salem to help individuals with disabilities achieve their potential;
- Shangri-La employs approximately 350 people, the majority being direct support professionals;
- Shangri-La serves approximately 1,000 people annually throughout Marion and surrounding counties:
 - The majority of clients are in Marion County.
- The Yellow Napkin Project is an opportunity for individuals to have a conversation regarding individuals with IDD:
 - The Yellow Napkin Project started last year;
 - The napkins feature five different messages; and
 - The hope is that the messages on the napkins will help challenge assumptions, and that they will encourage individuals to take action to make the community a more inclusive place for individuals with disabilities.

Kevin Michael Zwart, The Salvation Army Kroc Center:

- Mr. Zwart is the marketing assistant and graphic designer at the Kroc Center;
- The Kroc Center offers the following programs for individuals with special needs:
 - A daily pool session where individuals can swim for therapy;
 - Swim lessons for all ages;
 - A chair lift at the pool;
 - Free admission for caregivers;
 - Free admission for individuals enrolled in the community transition program; and
 - Scholarships for individuals who need financial assistance.
- The Kroc Center hires adults with special needs; and
- The Kroc Center plans to add more programs for individuals with special needs.

Board discussion:

- This year 12,500 yellow napkins were produced; and

- The following business are participating in distributing napkins as part of the Yellow Napkin Project:
 - Ankeny Vineyard, Salem;
 - Third Avenue Eatery/Baked and Loaded Potatoes/Naked Cat Coffee, Stayton;
 - Beehive Taphouse @ Beehive Station, Salem;
 - Caffè Capri Reed, Salem;
 - Chic Skape, Mt. Angel;
 - Columbia Bank, Salem-Keizer;
 - Cozzie's NY Deli, Salem;
 - Denny's, Woodburn;
 - Heroes Tap House, Salem;
 - Keizer Sub Shop, Keizer;
 - Lively Station, Salem;
 - Marion County Intellectual and Developmental Disabilities Conference;
 - On Any Sundae, Salem;
 - Rosie's Mountain Coffee House, Mill City;
 - Route 99, Brooks;
 - Sweetly Baked, Salem;
 - Sewell Sweets, Salem;
 - T-Mobile, Stayton;
 - The Dawg House Food Truck, Salem;
 - The Hub, Stayton;
 - The Safe Haven at Chemeketa Community College;
 - Shades of Brew, Salem;
 - The Easy Otter, Salem;
 - Urban Grange, West Salem;
 - Waldo Middle School; and
 - Western Oregon University Disability Services, Monmouth.

MOTION: Commissioner Bethell moved to approve a proclamation designating the month of March as Intellectual and Developmental Disabilities Awareness Month in Marion County. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

The Commissioners read the proclamation.

(Video Time 00:31:30)

CONSENT

BOARD OF COMMISSIONERS

Board Committee Appointment – Marion Water Quality Advisory Committee

2. Approve an order appointing Jeff Crowther as an At-Large member to the Marion Water Quality Advisory Committee (MWQAC) with a term ending June 30, 2027.

OLCC Application – Recommended Approval

3. Awesome Indoor Playground – Salem, Oregon

HUMAN RESOURCES

4. Approve the recommendation to adopt and establish the classification and pay range for Justice Court Clerk 1 under class code #193; and Justice Court Clerk 2 under class code #194.

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

(Video Time 00:32:42)

ACTION

CLERKS OFFICE

5. Consider approval of the Contract for Procurement, Licensing, and Maintenance of a LRMS System with Helion Software, Inc. in the amount of \$714,900 to establish the Land Records Management System through December 31, 2027. –Bill Burgess

Summary of presentation:

- The contract is for five years, and it was awarded last year after a request for proposals (RFP) process was done:
 - There were eleven applicants.
- The system is used to record land records including deeds, mortgages, liens, satisfactions, conveyances, plats, powers of attorney, and death certificates affecting land title;
- Approximately 50,000 to 80,000 documents are recorded per year:
 - Each record needs to be accurately indexed so that it can be retrieved by researchers.
- The service is used by banks, title companies, developers, attorneys, escrow agents, insurance companies, and others;
- The system is used for issuing and processing approximately 2,400 marriage licenses per year;
- The system is used for receipting including liquor licenses, passports, candidate filings, other election administration charges, and copies of documents;

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- Following are two advantages of the Helion Software system:
 - An increased capacity to electronically record land records locally and nationally:
 - Approximately 60 percent of the county's records are recorded electronically.
 - More efficient processing of marriage licenses.
- Helion is a local company and service time should be quick; and
- Helion has a stellar record of service to county clerks and assessor's offices throughout Oregon.

Board discussion:

- The goal is to have the Land Records Management System operational by the end of the current fiscal year;
- The new system will allow more than one employee at a time to work on recording without the system slowing down;
- The current system does not work well;
- The county may need to purchase a small amount of hardware; and
- The current company provides 1.5 full-time equivalent (FTE) indexers, and with the new system the county will have to provide these FTE.

MOTION: Commissioner Bethell moved to approve the Contract for Procurement, Licensing, and Maintenance of a LRMS System with Helion Software, Inc. in the amount of \$714,900 to establish the Land Records Management System through December 31, 2027. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:43:41)

FINANCE

6. Consider approval of the Purchase Order with Robert Half International, Inc. in the amount of \$165,500 to provide temporary staffing services through June 30, 2023. –Jeff White

Summary of presentation:

- There are several vacancies in the Finance Department, and there have been a couple of failed recruitments to fill these positions;
- Robert Half International, Inc. is on a cooperative purchase agreement:
 - They are used for temporary staffing.
- If the department is successful in hiring employees, they will stop using temporary staffing and this cost will decrease.

Board discussion:

- Commissioner Willis appreciates the work that Mr. White has done trying to fill the vacancies in his department, and he also appreciates having failed recruitments;

- The quality of the people hired in Marion County is very important, and employees are held to a high standard; and
- Commissioner Cameron thanked Mr. White for the detailed and quality work that he and his team do.

Motion: Commissioner Cameron moved to approve the Purchase Order with Robert Half International, Inc. in the amount of \$165,500 to provide temporary staffing services through June 30, 2023. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:47:26)

HEALTH AND HUMAN SERVICES

7. Consider approval of the Contract for Services with Gibraltar Medical Staffing, LLC in the amount of \$500,000 to provide medical personnel for mental health counseling and medication management through January 31, 2028. –Phil Blea

Summary of presentation:

- The contract will help fill a gap of twelve therapists in the county’s adult behavioral health outpatient services until staff can be hired;
- There is a shortage of mental health providers; and
- The agency will bill for services, and the additional medical personnel will help to bring caseload numbers down:
 - The current caseload for clinicians is over 100, making it difficult to provide quality care.

Board discussion:

- The shortage of healthcare providers and therapists is a national issue; and
- The additional medical personnel will provide in-person and telehealth services.

MOTION: Commissioner Bethell moved to approve the Contract for Services with Gibraltar Medical Staffing, LLC in the amount of \$500,000 to provide medical personnel for mental health counseling and medication management through January 31, 2028. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:52:53)

PUBLIC HEARINGS
9:30 A.M.

PUBLIC WORKS

A. Public hearing to receive testimony on the proposed alternative competitive process to solicit construction management and general contractor services for the North Santiam Canyon Sewer Project. –Brian Nicholas and Camber Schlag

Summary of presentation:

- During the 2021 legislative session the state legislature allocated \$50 million to Marion County for sewer projects in the North Santiam canyon;
- The project is currently being worked on;
- Last year the county solicited and awarded a contract for engineering services to Keller and Associates;
- It was determined that the most suitable construction contracting methodology for construction of the facilities is the Construction Management/General Contractor (CM/GC) approach, and this is what staff is recommending to the Board; and
- At the February 22, 2023, Board Session staff requested Board authorization to proceed with this procurement process:
 - The Board approved an order establishing today’s public hearing, and instructed staff to advertise the hearing:
 - Advertisements were posted on February 24, 2023, in the *Daily Journal of Commerce (DJC)* and the OregonBuys website.

Board discussion:

- There was no one signed up for public comment;
- Commissioner Willis asked if there was anyone in the audience who would like to make public comment, and no one responded;
- Commissioner Willis asked Mr. Nicholas to talk about the CM/GC process:
 - CM/GC is a contracting methodology where a contract is executed with a qualified builder to participate in the design and development phase of the project;
 - The construction contractor acts as the construction manager during the design and permitting phase:
 - The benefit of this is that the county will receive feedback from a qualified builder regarding how the project will be constructed.
 - A well-executed CM/GC contract generally pays for itself, and sometimes it saves money;
 - CM/GC contracts tend to go smoothly and quickly;
 - The project is very technical, and the county does not have a lot of expertise in delivering sewer projects;
 - Another benefit for the county is that it will reduce the amount of staff time that will be required to put towards the project;

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- The selection of the CM/GC is a competitive process, but it does not rely solely on low cost as the qualifications of the contractor are taken into account;
- Towards the end of the design phase the county will request a guaranteed maximum price proposal from the CM/GC for the full delivery of the project;
- The county could ask the CM/GC to serve as the construction manager throughout the project, and then ask them to competitively bid pieces of the project; and
- The county will likely do open book negotiations where in the CM/GC's guaranteed maximum price proposal they will be required to provide all their subcontractor quotes, and everything else that went into the proposal:
 - The county will use a third-party guesstimating firm to help evaluate cost proposals and to ensure that they are in line with industry norms; and
 - These negotiations will require staff time.
- This type of contract is beneficial in highly technical, complicated infrastructure projects:
 - CM/GC contracts usually have fewer change orders than low bid contracts; and
 - The CM/GC takes on the risk of changes to their proposal.

MOTION: Commissioner Cameron moved to close the public hearing. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 01:01:59)

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

CONTRACT REVIEW BOARD ACTION

PUBLIC WORKS

1. Consider approval of an order granting an exemption to allow for the use of an alternative solicitation process pursuant to the Marion County Public Contracting Rules for public improvement. –Brian Nicholas and Camber Schlag

Board discussion:

- None.

MOTION: Commissioner Bethell moved to approve an order granting an exemption to allow for the use of an alternative solicitation process pursuant to the Marion County Public Contracting Rules for public improvement. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

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

(Video Time 01:03:09)

Board discussion:

- Commissioner Bethell commented on the record regarding the contract with Oregon Housing and Community Services (OHCS) for \$12 million dollars that was approved at the March 8, 2023, Board Session:
 - The contract is for wildfire housing recovery, and it comes from the 2021 House Bill 5001; and
 - Commissioner Bethell thanked the other two commissioners, Matt Lawyer, Jane Vetto, and Jan Fritz for their support throughout the process.
- The county's policy has been to make sure that the government does not harm individuals who were victims of the fire, and this has taken a lot of work;
- Commissioner Bethell commented on Christian Aid Ministries (CAM) who has invested \$2.5 million in labor since the fall of 2021 to support 18 homeowners who had significant gaps in their ability to rebuild their homes:
 - Kaufman Homes and Thatcher Homes, along with the county's planning department, helped CAM file and obtain building permits;
 - Rubio's Plumbing donated 100 percent of their labor to plumb all the homes; and
 - K&E Excavating volunteered to move a large cargo container.
- Commissioner Willis also recognized the county and the Building and Planning Division for their work on wildfire recovery:
 - Marion County leadership is not afraid to partner with religiously motivated groups.

Commissioner Willis adjourned the meeting at 10:26 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

Board Sessions can be viewed on-line at

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

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