

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, May 25, 2022  
9:00 a.m.

Senator Hearing Room  
555 Court Street NE  
Salem, OR 97301

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

**ABSENT:** Commissioner Colm Willis

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

*(Video Time 00:00:42)*

**PUBLIC COMMENT**

Jeff Mullins:

- Mr. Mullins is presenting a petition signed by 160 individuals who are concerned with the expanding commercial use on a property located in Quinaby;
- Several years ago, the property owner did an unpermitted expansion:
  - When the property was inspected it was discovered that the owner was using it for commercial uses which were not allowed:
    - The property was zoned acreage residential.
  - The owner was unsuccessful during his conditional use hearing;
  - The owner promised the neighborhood that if he was allowed to continue the commercial work, he would never expand the commercial uses on the property;
  - Approximately half of the property was set aside for a park:
    - The owner promised the neighborhood that it would remain a park forever.
  - The neighborhood supported the commercial work based upon the two promises that were made.
- The owner is now being allowed to expand the commercial use into the park area:
  - The commercial use is being doubled.
- Uses in the area are supposed to be rural;
- Residents are concerned with the following:
  - Traffic fatalities have occurred near the property;
  - There are other problems with traffic in the area; and
  - The property does not have adequate parking.
- The park was promised to the public, and it was why the public supported the commercial use;

- The county is allowing the current expansion;
- Several codes in the ordinance are not being followed; and
- Restrictions were originally placed on the commercial building limiting it to 4,000 ASF:
  - The building was already larger than this when the restrictions were put in place.

***Board discussion:***

- Commissioner Bethell has requested the full record for the Commissioners to review:
  - The Commissioners will be speaking with the director of the Planning Department and with legal counsel; and
  - The Commissioners will follow up with Mr. Mullins and other neighbors who want to participate.

A copy of the petition was submitted as part of the record.

*(Video Time 00:10:49)*

**CONSENT**

ASSESSOR’S OFFICE

1. Approve a resolution amending the application to the Oregon Department of Revenue to participate in the Fiscal Year 2022-23 County Assessment Function Funding Assistance (CAFFA) Grant.

BOARD OF COMMISSIONERS

2. Approve Amendment #6 to the Contract for Services with the Mid-Willamette Valley Community Action Agency, Inc. to add \$318,161 for a new contract total of \$1,534,559 to provide services to veterans in Marion County through June 30, 2023.

FINANCE

3. Approve four Contracts for Sale for the sale of tax foreclosed properties sold at a public auction held on April 25, 2022, for Tax ID’s #521103, Arlen and Kinzie Stadel; #559911, Juan and Rubisela Plata; #597968 and #597970, Alejandro and Teresa Soto; and #106178, Alejandra Garcia.

HEALTH AND HUMAN SERVICES

4. Approve Amendment #7 to the incoming funds Intergovernmental Agreement with the Oregon Health Authority to add \$25,000 for a new contract total of \$14,130,699.89 to increase funding for Home Visiting, PE42-14, through June 30, 2023.

PUBLIC WORKS

5. Approve an order adopting the Marion County Americans with Disabilities Act (ADA) Transition Plan for Public Rights-of-Way.

SHERIFF'S OFFICE

6. Approve Amendment #2 to the incoming funds Intergovernmental Agreement with the City of Salem to add \$250,000 for a new contract total of \$500,000 to continue to provide Adults In Custody (AIC) work crews and supervision through June 30, 2022.

TAX OFFICE

7. Approve an order changing the authority of the Tax Collector to issue property tax refunds in the amount of \$20,000 or less without a specific Board action.

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

*(Video Time 00:13:45)*

**ACTION**

TREASURER'S OFFICE

8. Approve an order distributing Oregon State Forestry timber revenue in the amount of \$314,649.67 as per ORS Chapter 530. –Sam Brentano

***Summary of presentation:***

- The Oregon Department of Forestry chooses tracts of land to be harvested, and the timber on the land is sold;
- The state keeps a portion of the timber revenue, and distributes the rest to local governments;
- The Marion County Treasurer's Office uses the sales information to determine where the logging occurred:
  - The location of the harvested timber determines the local governments that are involved, and the money is distributed accordingly.
- The amount local governments receive varies with each sale;
- Following is a brief history of the state forest:
  - In the 1930s and 1940s after a forest was logged or burnt over, the logging companies would typically abandon the land;
  - The land became the property of the counties through the non-payment of taxes; and
  - In the 1940s these county lands were put under state management to provide the counties the following benefits:
    - The land would provide revenue for the counties; and
    - The secondary benefits of the land would be to provide recreation and protect environmental interests.
- Years later the state changed land management practices to prioritize recreational uses and environmental protection over timber harvesting.
- The change in terms does not reflect what the lands were set up for; and

- There are counties who have entered into lawsuits against the state over the state's management of the forest.

***Board discussion:***

- Local governments have lost revenue due to the decrease in state timber harvesting:
  - Citizens need to be made aware of the issue.
- Over half of the money being distributed is going to education through school districts and the local community college;
- The revenues are distributed based on where the timber is harvested; and
- The county will also be receiving money from salvaged timber harvests occurring within county parks that were affected by the wildfires:
  - The Parks Department estimates that the county will receive approximately \$600,000.

**MOTION:** Commissioner Cameron moved to approve an order distributing Oregon State Forestry timber revenue in the amount of \$314,649.67 as per ORS Chapter 530. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:23:28)*

FINANCE

9. Consider approval of an order adopting revised Marion County Administrative Policy #496 and Procedure #496-A, Investment of Public Funds. –Sam Brentano

***Summary of presentation:***

- The policy allows the county to hire professional fund management for the county's money;
- The following key objective of the policy has not changed:
  - The safety and preservation of capital, and protection of principle liquidity and return on investment.
- If approved by the Board the revised policy will be sent to the Oregon Fund Board:
  - The Oregon Fund Board also has to approve the revised policy.

***Board discussion:***

- The Commissioners reviewed the revised policy in an earlier Management Update meeting.

**MOTION:** Commissioner Cameron moved to approve an order adopting revised Marion County Administrative Policy #496 and Procedure #496-A, Investment of Public Funds. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:25:37)*

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2022\5-25-2022

10. Consider approval of a resolution authorizing the financing of real and personal property in a not to exceed principal amount of \$20,000,000 for the purchase and construction of multiple capital projects. –Jeff White

***Summary of presentation:***

- In the current Fiscal Year 2021-22 budget there is a plan to borrow approximately \$10 million to supplement the construction of a new Health and Human Services building;
- In next year's budget Finance is anticipating borrowing another \$10 million for the potential building of an evidence building for the Sheriff's Office, repairs to the jail and juvenile detention door lock systems, and a few other projects;
- Request for quotes were recently sent out to several banks to see what interest rates were being offered if the county were to borrow money now:
  - JPMorgan Chase Bank is offering the county a rate of 2.79 percent.
- The rate and terms are very good, so the finance department has decided to take the two financings that are planned for this fiscal year and next fiscal year, and borrow the money now;
- The authorizing resolution is the first of many steps to borrowing the money;
- Finance is trying to borrow the money prior to the end of the current fiscal year;
- The resolution will give the county's Chief Administrative Officer the ability to sign the rest of the required documents; and
- The low interest rate will save the county a tremendous amount in interest costs.

***Board discussion:***

- The county cannot lock into the interest rate until the resolution is approved:
  - The interest rate changes daily.
- The rate being offered is a fixed rate for 15 years.

**MOTION:** Commissioner Cameron moved to approve a resolution authorizing the financing of real and personal property in a not to exceed principal amount of \$20,000,000 for the purchase and construction of multiple capital projects. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:29:11)*

**BOARD OF COMMISSIONERS**

11. Consider approval of American Rescue Plan Act Memoranda of Understanding with Marion County Community Services, Marion County Health and Human Services, and Marion County Public Works for the following projects effective March 3, 2021, through December 31, 2026:

- Community Services, the Detroit Marina Excavation and Resiliency Project in the amount of \$3,000,000.
- Health and Human Services, the "Our Place" Apartment Complex for Families Project in the amount of \$500,000.

- Public Works for the following:
  - The Marion County Radio Communication Project in the amount of \$9,000,000;
  - The Brooks-Hopmere Drinking Water Improvement Project in the amount of \$9,848,000;
  - The Brooks-Hopmere Wastewater Improvement Project in the amount of \$5,000,000;
  - The Parkdale Park Development Project in the amount of \$364,854; and
  - The Fargo Interchange Service District Wastewater Treatment Improvement Project in the amount of \$600,000.

–Chris Eppley and Camber Schlag

**Summary of presentation:**

- Marion County was allocated \$67,559,569 from the American Rescue Plan Act (ARPA);
- ARPA funds must be obligated by December 31, 2024, and expended by December 31, 2026;
- Following are the eligible categories for the use of ARPA funds:
  - Public health;
  - Provisions of government services; and
  - Infrastructure investments including water, sewer, and broadband.
- The Board of Commissioners held meetings throughout the summer and fall of 2021 to determine the needs of the communities within Marion County;
- A request for applications was sent out in November 2021;
- A review committee was established to review the applications for eligibility with ARPA requirements;
- A work session was held at the end of January 2022 where the Board of Commissioners awarded \$59 million in ARPA funds; and
- The items before the Board today are the first set of agreements.

**Detroit Marina Excavation and Resiliency Project:**

- This project falls under the Revenue Replacement category;
- The project consists of the strategic excavation of 162,000 cubic yards of sediment from underneath the existing boat docks;
- The excavation would occur during the winter reservoir drawdown;
- It is anticipated that the removed sediment will be deposited into the surrounding region;
- Through the excavation of sediment, the marina will be able to operate down to 1,525 feet; and
- The project will provide viability and stability for the anchor businesses that are vital to the regional economy.

**The “Our Place” Apartment Complex for Families Project:**

- This project falls under the Public Health, Substance Use, Services to Disproportionately Impacted Communities, Housing Support category;

- “Our Place” will provide on-site transitional housing to Department of Human Services child welfare involved parents who have substance use disorders:
  - The parents are pursuing long-term recovery so that they can work towards regaining permanent custody of their children.
- Priority admission will be offered to persons of color;
- The maximum capacity of “Our Place” will be 12 parents, and 12 children ages 5 and younger; and
- The maximum length of stay at “Our Place” will be 6 months.

The Marion County Radio Communication Project:

- This project falls under the responding to a public health emergency category;
- The project will construct an FCC compliant public safety radio system, and a microwave broadband backhaul network; and
- The system will serve the field communication needs of the Marion County Sheriff's Office, 8 city police agencies, 19 fire districts, 2 rural ambulance districts, and Marion County's rural 911 call center.

The Brooks-Hopmire Drinking Water Improvement Project:

- This project falls under the water, sewer, and broadband infrastructure category;
- The project consists of the installation of a new community water well, 500,000-gallon drinking water reservoir, booster pump station, water main, service connections, and fire hydrants; and
- The installation will be in the area that is currently served by the Brooks Community Service District.

The Brooks-Hopmire Wastewater Improvement Project:

- This project falls under the water, sewer, and broadband infrastructure category;
- The project includes upgrades to the existing wastewater treatment plant, installation of a pump station, gravity sewer line, manholes, and a force main; and
- The project locations are Richland Avenue, and Brooklake Road between Richland Avenue and Interstate 5.

The Parkdale Park Development Project:

- This project falls under the Public Health and Services to Disproportionately Impacted Communities categories;
- The project will have a positive impact on the East Salem and Hayesville neighborhoods; and
- The project will include a new parking area, ADA accessible pathways, ADA accessible restroom, fenced dog park, wetland themed nature play area, and a wetland interpretive walkway.

The Fargo Interchange Service District Wastewater Treatment Improvement Project:

- This project falls under the water, sewer, and broadband infrastructure category;
- The project will expand the wastewater system capacity, improve reliability with new equipment, reduce the burden on operators with fully automated systems, and improve energy and pumping efficiency; and
- The project is for Fargo's share of the City of Donald's wastewater treatment plant expansion.

**Board discussion:**

- The Commissioners thanked staff for their hard work on getting these funds allocated;
- These are very important projects for the county that will have generational impacts;
- City allocations will start to come in next week, with the majority coming in on June 8, 2022; and
- The county has utilized the ARPA funding in communities located throughout Marion County.

**MOTION:** Commissioner Cameron moved to approve the American Rescue Plan Act Memoranda of Understanding with Marion County Community Services, Marion County Health and Human Services, and Marion County Public Works for the following projects effective March 3, 2021, through December 31, 2026:

- Community Services, the Detroit Marina Excavation and Resiliency Project in the amount of \$3,000,000.
- Health and Human Services, the "Our Place" Apartment Complex for Families Project in the amount of \$500,000.
- Public Works for the following:
  - The Marion County Radio Communication Project in the amount of \$9,000,000;
  - The Brooks-Hopmere Drinking Water Improvement Project in the amount of \$9,848,000;
  - The Brooks-Hopmere Wastewater Improvement Project in the amount of \$5,000,000;
  - The Parkdale Park Development Project in the amount of \$364,854; and
  - The Fargo Interchange Service District Wastewater Treatment Improvement Project in the amount of \$600,000.

Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:42:10)*



## BUSINESS SERVICES

12. Consider approval of an order adopting revised Marion County Administrative Policy #304 and Procedures #304-A, #304-B, and #304-C, Americans with Disabilities Act (ADA).

–Justine Flora and Don Alexander

### ***Summary of presentation:***

- The Board earlier approved a program for Public Works for the Americans with Disabilities rights-of-way project;
- The rights-of-way program has a requirement for there to be a process for grievances or complaints:
  - Procedure #304-C has been developed to address the ADA program requirement for the rights-of-way transitions.
- To include the new procedure, the policy had to be updated;
- In addition to updates, the policy and procedures language and formatting was cleaned up; and
- Procedure #304-C is a required element of the ADA transition plan for accessibility and public rights-of-way:
  - The county is required to have a procedure for the public to request for accommodation;
  - If an individual feels that their request is not being fully heard, there is a grievance procedure they can follow; and
  - The procedure covers the facilities in the rights-of-way including:
    - Curb ramps and ADA curb cuts;
    - Push button intersections; and
    - Sidewalks.

### ***Board discussion:***

- Staff has been working on the updates and the new procedure for a while; and
- There has been a lot of public input throughout the process.

**MOTION:** Commissioner Cameron moved to approve an order adopting revised Marion County Administrative Policy #304 and Procedures #304-A, #304-B, and #304-C, Americans with Disabilities Act (ADA). Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:47:17)*

## HEALTH AND HUMAN SERVICES

13. Consider approval of the Intergovernmental Agreement with the Oregon Department of Administrative Services in the amount of \$600,000 for motor vehicle rentals, fuel purchases, and motor pool shop services retroactive to July 1, 2021, through August 24, 2025. –Ryan Matthews

### ***Summary of presentation:***

- The agreement allows Health and Human Services (HHS) to continue to rent vehicles from the state motor pool, and to pay for any maintenance costs related to those vehicles;

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2022\5-25-2022

- HHS currently leases 48 state motor pool vehicles, for approximately \$12,000 per month:
  - Approximately \$250 per vehicle.
- The vehicles are used by programs throughout HHS:
  - HHS provides a lot of community-based services.
- In addition to the state motor pool vehicles, HHS also utilizes county fleet vehicles;
- HHS currently has 34 county fleet vehicles;
- HHS does not want employees using their personal vehicles when they are transporting clients and clients' families:
  - It is a risk concern for the county as it is unknown what condition employees' cars are in, and what insurance they carry.
- State motor pool vehicles are sometimes difficult to get, as state agencies have priority over the county; and
- The state motor pool vehicles are less expensive than the county fleet vehicles:
  - County fleet vehicles have to be purchased, and they have an ongoing monthly expense.

***Board discussion:***

- Utilizing the state motor pool vehicles gives HHS more flexibility:
  - The vehicles are available quicker than the vehicles obtained through the county purchase process; and
  - HHS does not have to come up with the capital costs for purchasing a county vehicle.

**MOTION:** Commissioner Cameron moved to approve the Intergovernmental Agreement with the Oregon Department of Administrative Services in the amount of \$600,000 for motor vehicle rentals, fuel purchases, and motor pool shop services retroactive to July 1, 2021, through August 24, 2025. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:51:27)*

JUVENILE DEPARTMENT

14. Consider approval of the incoming funds Intergovernmental Agreement with the Oregon Department of Human Services in the amount of \$1,350,000 for Title IV-E reimbursement for services provided to youth who are at risk of being removed from their home. –Troy Gregg

***Summary of presentation:***

- The funds are reimbursed back to the county for services the county provides;
- The services provided target youth who are at risk of being placed outside of their home; and
- Justice Benefits, Inc. tracks the county's documentation that is required for reimbursement.

**Board discussion:**

- The Guaranteed Attendance Program (GAP) provides shelter care placement;
- The funds are spent on programming for youth including:
  - Counselors that work with families;
  - Some of the costs of GAP; and
  - Items required for case management including cell phones and ankle monitors.
- The funds are targeted towards youth who at risk of going into the Oregon Youth Authority or long-term foster care; and
- The Juvenile Department programs work to keep youth in their homes.

**MOTION:** Commissioner Cameron moved to approve the incoming funds Intergovernmental Agreement with the Oregon Department of Human Services in the amount of \$1,350,000 for Title IV-E reimbursement for services provided to youth who are at risk of being removed from their home. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:55:54)

**PUBLIC HEARINGS**

**9:30 A.M.**

None.

Commissioner Cameron read the calendar;  
Commissioner Bethell adjourned the meeting at 10:00 a.m.



---

CHAIR

Not Present At Meeting

---

COMMISSIONER



---

COMMISSIONER

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

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2022\5-25-2022