

## BOARD OF COMMISSIONERS

### MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, June 3, 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 Jan Fritz, chief administrative officer, Jane Vetto as county counsel, and Brenda Koenig as recorder.

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

### **PUBLIC COMMENT**

None.

### **PRESENTATION**

*(Video Time 00:00:40)*

COVID-19 (Novel Coronavirus) update. –Katrina Rothenberger

- Ms. Rothenberger reports the following updates for the COVID-19 pandemic as of Tuesday, June 2, 2020:
  - An estimated 956 individuals have tested positive;
  - An estimated 10,008 individuals have tested negative; and
  - Twenty six individuals have died from symptoms related to COVID-19.
- Oregon Health Authority (OHA) will be releasing work sites with active outbreaks:
  - Worksites are defined by 30 more employees;
  - An outbreak is defined by 5 or more employees; and
  - Will provide consistently statewide.
- The county's data dashboard has been updated to include the following new information:
  - Demographic information including race and ethnicity;
  - Daily testing rate; and
  - Hospitalizations and deaths by age and gender.
- The cluster report as of June 1<sup>st</sup> saw a decrease in cases across all ZIP Codes in Marion County except:
  - 97301 had an increase of 23 new cases; and
  - 97305 had an increase of 24 new cases.
- Monitoring continues for Phase II reopening and criteria include:
  - Timely follow-up;

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- Successful contract tracing; and
- No significant increases in percent of positive or new cases.

***Board discussion:***

- Department of Corrections numbers include:
  - Seventeen new cases reported at Oregon State Penitentiary; and
  - A handful of new cases have been reported at MacClaren Youth and Santiam Correctional Institutions.
- Marion County Health and Human Services has partnered with Marion County Community Corrections, OHA, and Oregon Department of Human Services:
  - Will provide support for individuals being released from correctional institutions:
    - Appropriate housing;
    - Testing;
    - Transportation; and
    - Wraparound services.
- Contract tracers take a detailed history of all individuals who test positive to see if transmission was from a household or other congregate setting.

**CONSENT**

*(Video Time 00:07:40)*

**BUSINESS SERVICES**

Approve Amendment #2 to the Contract for Services with Cascade Centers adding \$11,000 for a new contract total of \$106,000 for consulting and employee assistance programs through December 31, 2020.

Approve an order approving the recommended revisions to the Retirement Plans Committee Charter Document.

**CLERK'S OFFICE**

Approve Amendment #3 to the Contract for Services with Hart Intercivic, Inc. adding \$84,120 for a new contract total of \$1,034,667.20 for the annual renewal of warranty, support, and license of the county's vote tabulation system used in Marion County elections through June 30, 2022.

**PUBLIC WORKS**

Schedule adoption of an administrative ordinance for June 10, 2020, for Legislative Amendment (LA) Case #20-001/Amending Marion County Code, Title #17, related to temporary hardship dwellings.

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

## ACTION

(Video Time 00:09:06)

### COMMUNITY SERVICES

1. Consider approval of the Intergovernmental Agreement with the Marion County Extension & 4-H Service District in the amount of \$2,201,354 for the county to provide administrative, professional, and technical services to the district, and to authorize the cooperative financing of the district's services through June 30, 2025.

–Tamra Goettsch

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

- In 2015 voters approved the creation of a service district for Marion County to support:
  - 4-H services; and
  - Marion County Extension.
- The contract helps to support all functions of the service district which include:
  - Supporting small farms;
  - 4-H programs; and
  - Agricultural research.
- Allows the county to charge the service district for services; and
- Section 4.1, Funding and Billing, of the contract has a change in language:
  - Ms. Goettsch read the corrected language.

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

- Ms. Goettsch worked with Legal Counsel on the contract language to correct the billing date to July of each year; and
- Jane Vetto, Marion County Counsel, clarified that the change is correcting a scrivener's error, and is not substantive.

**MOTION:** Commissioner Cameron moved to approve the Intergovernmental Agreement with the Marion County Extension & 4-H Service District in the amount of \$2,201,354 for the county to provide administrative, professional, and technical services to the district, and to authorize the cooperative financing of the district's services through June 30, 2025. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:14:40)

### JUVENILE DEPARTMENT

2. Consider approval of the ratification of the Marion County Juvenile Employee Association (MCJEA) Collective Bargaining Agreement. –Troy Gregg and Bruce Armstrong

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

- MCJEA is specific to the Juvenile Department;
- Most of changes involve language clarifications;

- Following the United States Supreme Court’s Janus decision, fair-share language was removed from Article 3, Sections 1 through 3;
- The insurance premium cap was raised in Article 10:
  - From \$15.46 to \$15.96; and
  - From \$15.96 to \$16.46 in 2022.
- Effective July 1, 2020, there will be a two percent COLA;
- Effective July 1, 2021, there will be a 1.75 percent COLA;
- In Article 12, the language was clarified defining the difference between working out of classification and acting in capacity;
- In Article 13, language was removed specifying comp time payment of comp time within one year of accrual;
- In Article 25, the language was changed from open list to interview list following county personnel rules;
- The date of the agreement was changed to July 1, 2020 through June 30, 2022;
- The shift trade letter of agreement was extended:
  - Allows staff flexibility in scheduling time off without accruing overtime.
- Mr. Gregg thanked the bargaining team for keeping the process moving and organized; and
- Mr. Armstrong commented that the bargaining team moved quickly on this agreement due to COVID and therefore there are fewer changes.

**MOTION:** Commissioner Brentano moved to approve ratification of the Marion County Juvenile Employees Association Collective Bargaining Agreement. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

*(Video Time 00:20:03)*

### PUBLIC WORKS

3. Consider approval of the Public Improvement Agreement with Blackline, Inc. in the amount of \$138,262.14 to provide furnishing and application of Type II slurry seal through September 3, 2021. –Ryan Crowther

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

- Slurry sealing is a process that extends the useful life of the roadway;
- The contract will seal 22 sections of county roadway;
- Slurry sealing was offered to several cities through the county’s contract;
- Only the City of Stayton was able to do the project this year;
- The City of Stayton is funding the work through a separate IGA with the county;
- The county’s cost is \$86,030.10;
- The City of Stayton’s cost is \$52,232.04; and
- Construction is expected to occur between July and September, 2020.

***Board discussion:***

- The slurry seal project will not include Church Street in Sublimity.

**MOTION:** Commissioner Cameron moved to approve the Public Improvement Agreement with Blackline, Inc. in the amount of \$138,262.14 to provide furnishing and application of Type II slurry seal through September 3, 2021. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

Commissioner Willis recessed the meeting at 9:26 a.m.  
Commissioner Willis reconvened the meeting at 9:30 a.m.

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

*(Video Time 00:29:30)*

**PUBLIC WORKS**

A. Second public hearing to consider adding parks services to the East Salem Service District (ESSD). –Dennis Mansfield

***Summary of presentation:***

- Today is the second of two public hearings that are required to add parks services to the ESSD;
- The Santana Village Park Association is a non-profit organization run entirely by volunteers;
- In August, 2019, the association requested financial support for the maintenance and upkeep of the Santana Village Park located within the boundaries of the ESSD;
- The advisory committee met to discuss options;
- On January 22, 2020, the committee recommended to the ESSD governing body to add park services:
  - The governing body agreed to begin the formation process.
- The first Public Hearing on this matter was held on May 6, 2020:
  - Public comment was received from one individual concerned about lack of community outreach and adding an additional fee to the citizens of the ESSD.
- The order before the board for approval only provides the authority to the ESSD governing body to consider park services within the ESSD boundaries:
  - The order does not assess any fee to the citizens of the ESSD.
- If the board approves the order, Public Works will begin public outreach:
  - Will work with the neighborhood association in the area of Santana Village Park;
  - A town hall style meeting will be scheduled;
  - A meeting with the ESSD advisory committee will be scheduled to discuss citizen feedback received at the town hall and options going forward;

- A special meeting of the ESSD governing body will be requested to present findings and recommendations;
- All meetings will be public and the public are welcome to attend;
- The neighborhood association will be informed at every step of when and where meetings will be held; and
- All meetings will be noticed with required media outlets.
- Following public testimony, the board will have the following options:
  - Approve the order to add park services to the ESSD boundaries;
  - Continue the hearing to a future date to allow for further public comment; or
  - Direct staff to prepare an order dismissing the addition of park services to the ESSD.
- Staff and the advisory committee for the ESSD recommend the board approve the order to add park services within ESSD boundaries;
- By statute, if 15 percent or 100 electors, whichever is less, do not submit written requests for an election on the subject, the board may issue an order following the second public hearing formally adding park services to the ESSD; and
- Upon approval of the order, the formal process before the Board of Commissioners is complete.

***Board discussion:***

- Commissioner Cameron clarified that this is not taxes or an assessment, but allows the formation of a parks district along with the public safety district and other services in the ESSD;
- He appreciates that Public Works reached out to the neighborhood association;
- Notice of the public hearing was posted through the normal media outlets;
- Mr. Mansfield reached out to a citizen who commented previously, and she has applied to be on the ESSD Advisory Committee;
- No additional outreach has been made yet;
- Additional outreach will begin if the board approves the order;
- Commissioner Willis reiterated that the board is not assessing a fee; and
- Commissioner Brentano clarified that other parks within the ESSD boundaries may be affected.

**MOTION:** Commissioner Brentano moved to close the public hearing and approve adding parks services to the East Salem Service District. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

*(Video Time 00:39:48)*

**PUBLIC WORKS**

B. Public hearing to consider Zone Change/Comprehensive Plan/Conditional Use (ZC/CP/CU) Case #19-002/TLM Holdings, LLC. –Joe Fennimore

**Summary of presentation:**

- The matter before the board is regarding an application to take exceptions to Statewide Planning Goal 3 and Goal 14, to change the Comprehensive Plan designation from Primary Agriculture to Public and Semi-Public, and to change the zone from Exclusive Farm Use (EFU) to Public with a conditional use permit to establish airport-related uses on a 16 acre parcel;
- After the hearing notice was posted, staff found the notice was defective and informed the applicant;
- On May 29, 2020, the applicant submitted a letter requesting the board continue the hearing to June 24, 2020, so adequate notice can be provided; and
- Staff recommends the board continue the hearing.

**Board discussion:**

- Written testimony was received:
  - The testimony does not need to be read;
  - The testimony is part of the record; and
  - The record will be held open until June 23, 2020 at 5:00 p.m.
- No one signed up for public testimony.

**MOTION:** Commissioner Cameron moved to continue the public hearing for June 24, 2020, and hold the record open until June 23, 2020 at 5:00 p.m. for Zone Change/Comprehensive Plan/Conditional Use (ZC/CP/CU) Case #19-002/TLM Holdings, LLC. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

Commissioner Brentano read the calendar.  
Commissioner Willis adjourned the meeting at 9:48 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

**Board Sessions can be viewed on-line at**

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