

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, August 2, 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 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.

(Video Time 00:01:45)

PUBLIC COMMENT

None.

(Video Time 00:01:48)

CONSENT

COMMUNITY SERVICES

1. Approve a resolution to adopt the Homeowner Residential Rehabilitation Program Policy for the Community Development Block Grant (CDBG) Program.
2. Approve a resolution to adopt the Marion County Down Payment Assistance Program and the Resale and Recapture Policies for the HOME Investments Partnership Program.

PUBLIC WORKS

3. Approve an order reappointing Alton Hoover to the Marion County Parks Commission with a term ending June 30, 2027.
4. Approve a Right-of-Way Dedication for three, one-foot reserve strips associated with the Tamarack and Inland Estates Subdivision.
5. Receive the hearings officer's decision approving Partition/Variance (P/V) Case #22-014/ Ryan and Roni Rasmussen Family Trust.

SHERIFF'S OFFICE

6. Approve Amendment #1 to the Contract for Services with LexisNexis to add \$18,908.55 for a new contract total of \$108,908.55 to continue to provide crime mapping analysis services through August 31, 2024.

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

(Video Time 00:03:35)

ACTION

BOARD OF COMMISSIONERS

Board Committee Appointment – Justice Reinvestment Council

7. Consider approval of an order appointing Marion County Sheriff, Nicholas D. Hunter to the Marion County Justice Reinvestment Council with a term date ending December 31, 2024. – Undersheriff Jeff Wood

Summary of presentation:

- The Justice Reinvestment Council began in Marion County in 2009:
 - This came from the Bureau of Justice Second Chance Act Grant.
- The grant was submitted to create a council who advises the Sheriff on reentry issues;
- The council consists of members from different backgrounds including community leaders and elected officials:
 - They can help reduce barriers for those that are reentering the community after being incarcerated; and
 - These individuals are neighbors, family members and those who have lived in the community previously.
- The council holds individuals accountable while giving resources to help them be successful and combat:
 - Education deficits;
 - Mental health issues; and
 - Addiction issues.
- From 2009 to the present day there has been expansion within the program, Sheriff's Office, community, and collaborative partners for example:
 - In 2012 there was SB 416 which is the prison diversion program:
 - This places individuals that were to go to prison on probation.
 - In 2013 there was HB 3194 which is the Justice Reinvestment:
 - This is allocated through grant dollars to counties for enhancing and/or providing evidence-based programs to lower reoffending, prison population, and increase accountability.
 - In 2018 two Bureau of Justice grants were received for law enforcement assisted diversion:

- This program was looked at and began in 2016.
- In the last 13 years the Sheriff's Office and its partners has had growth and contact in:
 - Law Enforcement Assisted Diversion (LEAD);
 - System diversion;
 - Criminal justice diversion;
 - Law enforcement contact;
 - Potential incarceration;
 - Core processes;
 - Department of corrections;
 - Post prison supervision; and
 - Even prosecution needs help in taking individuals to and from court.
- The expansion and responsibilities were approved in 2019 and reaffirmed in 2022 by the board; and
- The role of the Justice Reinvestment Council has been to advise the Sheriff in justice diversion, prison diversion and reentry issues.

Board discussion:

- This is a worthy council and Marion County leads the state in reentry initiatives;
- Sheriff Hunter and the board are supportive of these efforts and want to see the community happy and thriving;
- Of those who go to prison 93 percent come out, and they need help to be safe contributing members of the community who do not go back to prison;
- The Sheriff's Office is involved from beginning to end such as:
 - Keeping people safe when no crime has been committed; and
 - When a crime happens, holding people accountable to keep the community safe.
- Soaring Heights is in the audience to support the effort.

MOTION: Commissioner Bethell moved to approve an order appointing Marion County Sheriff, Nicholas D. Hunter to the Marion County Justice Reinvestment Council with a term date ending December 31, 2024. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:11:33)

HEALTH AND HUMAN SERVICES

8. Consider approval of Amendment #1 to the Contract for Services with LocumTenens.com, LLC to add \$3,000,000 for a new contract total of \$3,760,000 to provide temporary staffing services of qualified medical professionals within all divisions of Marion County Health and Human Services through September 30, 2026. –Ryan Matthews

Summary of presentation:

- This amendment increases funding and length of the contract, which would be an additional three years;

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- This contract is an up to amount and only the hours worked will be paid;
- Used to ensure services, specifically providing medication, are at capacity until gaps of the medial team are filled in such as:
 - Psychiatrists; and
 - Mental health nurse practitioners.
- The contract began to provide for the Adults Behavioral Health department but expanded to all divisions of MCHHS because of vacancies specifically a public health nurse practitioner:
 - The original intent was to fill this as it has been vacant for six months.
- There are efforts to expand outreach services, for the homeless, but currently the capacity is not available:
 - The mobile clinic van doesn't have a provider to prescribe medicine:
 - The current provider is available on a part-time basis.
- This contract ensures that there is capacity to provider services as needed;
- There are current contracts in place for providers to give care, for:
 - Mental health nurse practitioner; and
 - Psychiatrist;
- Providers leave and appointment rates climb a few benefits the contract gives are:
 - Allowing a provider to come in and give onsite support;
 - This prevents appointments from being scheduled too far out;
 - Consistency is needed regarding medication this provides that; and
 - Primary care providers do not usually prescribe psychiatric medication that a behavioral health provider would:
 - The community lacks in this area of services.
- Online support so that appointments are not too far out.

Board discussion:

- There is currently not enough staff to be able to frequently visit homeless camps:
 - MCHHS would like to visit more frequently in the future as staffing allows;
 - After hiring through this contract would like to create a schedule to be out in the community at some capacity; and
 - It is MCHHS goal to go out and serve.
- There is a challenge to fill this position with numerous recruitments failing:
 - The work is needed now so the change brings someone in short term.
- Many services are billed to the insurance, offsetting costs to the county;
- Historically public health nurse practitioners could be hired to help the behavioral side, but the challenges involved have made this difficult;
- MCHHS will continue to recruit for the position and in the case of hiring the contract will not be needed for the full duration;
- MCHHS partnered with LocumTenens around 2020 after observing Polk County using them for health employees:
 - Around this time the department experienced turnover; and

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- LocumTenens has been used since to provide onsite support.
- This company is easy to work with and attracts the providers needed.

Motion: Commissioner Cameron moved to approve Amendment #1 to the Contract for Services with LocumTenens.com, LLC to add \$3,000,000 for a new contract total of \$3,760,000 to provide temporary staffing services of qualified medical professionals within all divisions of Marion County Health and Human Services through September 30, 2026. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:18:07)

9. Consider approval of the incoming funds Contract for Services with Silverton Health, dba, Legacy Silverton Medical Center (LSMC) in the amount of \$120,000 for Marion County Health and Human Services (MCHHS) Psychiatric Counseling Center (PCC) to provide crisis services to LSMC retroactive from July 1, 2023, through June 30, 2026. –Ryan Matthews

Summary of presentation:

- This is an ongoing agreement that the crisis program has with LSMC:
 - Similar to the support offered to Salem Health.
- Crisis associates help those in a mental health crisis at a hospital or clinic setting by:
 - Offering screenings and expertise;
 - Providing phone consultations but primarily services are done face to face;
 - Offering help seven days a week from 9:00 p.m. to 8:00 a.m.; and
 - Responding within two hours of the sent request.
- Crisis associates participate in outreach and the Crisis Center is open 24/7:
 - This includes mobile crisis units; and
 - In emergency hospital settings.
- LSMC contracts for capacity and associates provide the best outcome possible including:
 - Stabilizing individuals so they can seek the treatment needed; and
 - Providing resources if the mental health crisis is acute:
 - This provides the help that LSMC might not be able to provide.

Board discussion:

- LSMC pays for the capacity of crisis associates to help in crisis:
 - The amount services used do not affect the payment; and
 - The contract is set so staff can respond anytime to any location.
- A variety of associates respond to calls depending on the needs including:
 - A Qualified Mental Health Professional (QMHP):
 - Who would be called if an extensive screening is needed.
 - A Qualified Mental Health Associate (QMHA):
 - Can triage, provide resources, and stabilize individuals.

- Data will be provided regarding how many interactions took place throughout the last contract.

MOTION: Commissioner Bethell moved to approve the incoming funds Contract for Services with Silverton Health, dba, Legacy Silverton Medical Center (LSMC) in the amount of \$120,000 for Marion County Health and Human Services (MCHHS) Psychiatric Counseling Center (PCC) to provide crisis services to LSMC retroactive from July 1, 2023, through June 30, 2026. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:22:33)

PUBLIC WORKS

10. Consider approval of the Price Agreements for the purchase of commercial asphalt concrete pavement and CSS-1 asphalt cements retroactive from July 1, 2023, through June 30, 2024, with the following suppliers:

- Roy Houck Construction, LLC in the amount of \$100,000; and
- Knife River Corporation in the amount \$400,000.

–Scott Wilson

Summary of presentation:

- The request is for the fiscal year 2023-24;
- In May 2023 a Request for Proposal (RFP) was advertised through Oregon Buys and Oregon Dail Journal of Commerce;
- Quotes were received by the following:
 - Houck Construction Materials, Incorporated located in Salem; and
 - Knife River Corporation – Northwest located in Salem.
- The department will obtain materials from the vendors depending on availability, price, and transportation to the work site:
 - This provides fair distribution of public money and savings to citizens of Marion County.
- Public Works has budgeted approximately \$600,000 for Commercial Asphalt Concrete Pavement in the fiscal year 2022-2023;
- No other county departments will be impacted by the project;
- The vendors providing the products will benefit from better distribution of public funds to purchase the products; and
- Public Works recommends the board approve the contracts.

Board discussion:

- The asphalt used to rehabilitate roads is Cationic Slow-Setting-1 (CSS-1) Asphalt which is:
 - An asphalt emulsion with aggregate blended together; and

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- CSS 1 is a tackifier product which is a diluted emulsion:
 - This is sprayed helping the new pavement stick to the existing pavement:
 - This can be seen as road glue.
- Typically, a 3-year contract is done with local suppliers and vendors;
- Often a one-year contract is done as the economy is changing and vendors have other projects;
- There have been a few delays and that is why the contract is retroactive;
- There are two vendors as availability, product production, and location were assessed and determined:
 - Each vendor's schedule;
 - The distance from work sites; and
 - Pricing estimates of projects.
- The contract process entails:
 - The RFP process;
 - Looking at the companies that bid;
 - Determining who qualifies; and
 - Then assessing which vendor better fits each project.
- A vendor may not have a product at the time it is needed so another vendor can be used;
- The contract is done with two local vendors; and
- The contracts help preserve county roads and a great job has been done.

MOTION: Commissioner Cameron moved to approve the Price Agreements for the purchase of commercial asphalt concrete pavement and CSS-1 asphalt cements retroactive from July 1, 2023, through June 30, 2024, with Roy Houck Construction, LLC in the amount of \$100,000; and Knife River Corporation in the amount \$400,000. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:33:03)

11. Consider approval of the Price Agreements for the purchase of aggregate materials retroactive to July 1, 2023, through June 30, 2024, with the following suppliers:

- Crabtree Crushing, Inc. in the amount of \$50,000;
- North Santiam Paving Company in the amount of \$50,000;
- River Bend Materials in the amount of \$50,000;
- Silverton Hills Rock, LLC in the amount of \$50,000; and
- Knife River Corporation in the amount of \$175,000.

–Scott Wilson

Summary of presentation:

- This request is for the purchase of aggregate for fiscal year 2023-2024;
- Roads throughout the county require more vendors to supply materials as there is a large area to cover, having one supplier would result in:

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- Reduced productivity as only one project at a time could be worked;
- High costs for transportation to worksites; and
- The needs of the county would not be met in a good manner.
- In May 2023 an RFP for aggregate materials was advertised through Oregon Buys and Oregon Daily Journal of Commerce;
- The following firms submitted quotes:
 - Riverbend Sand & Gravel in Keizer;
 - Crabtree Crushing in Dundee;
 - Silverton Hills Rock in Silverton;
 - North Santiam Paving in Lyons; and
 - Knife River in Salem.
- The rock products are used for maintenance done by Public Works employees on Marion County roads;
- Public Works will receive materials based on the following criteria:
 - The availability of the product;
 - Price of the product; and
 - Transportation to the worksite.
- Using the criteria allows fair distribution of public funds and savings for the citizen of Marion County;
- Public Works has budgeted about \$375,000 for Aggregate Materials for fiscal year 2023-2024;
- There are no impacts to other county departments;
- Public Works recommends approval of the contracts; and
- Similar to the asphalt process this is distributed among various vendors.

Board discussion:

- Aggregate is rocks from the rock pits that come in different blends and sizes:
 - These are manufactured by the vendor; and
 - The type of rock used depends on the type of work done.
- The rock and asphalt mixture creates a hot mix asphalt;
- Aggregate is used for chip seals that is spread on top of sprayed emulsion:
 - This is used for road base materials before paving happens; and
 - Armoring for slope stabilization.
- Processing five contracts for the same item is a lot of work but it is important to spread taxpayer dollars across multiple vendors;
- The presentation today was done in a way that is easy for the public to understand how contracting works:
 - Understanding government and procurement is not easy.
- State law has specific contract procedures that need to be followed so that it is fair to all vendors:
 - There is an appeal process in place allowing those not selected to state things were done unfairly.

- All the procurement is based on Oregon Procurement Statutes and follow state law.

MOTION: Commissioner Bethell moved to approve the Price Agreements for the purchase of aggregate materials retroactive to July 1, 2023, through June 30, 2024, with Crabtree Crushing, Inc. in the amount of \$50,000; North Santiam Paving Company in the amount of \$50,000; River Bend Materials in the amount of \$50,000; Silverton Hills Rock, LLC in the amount of \$50,000; and Knife River Corporation in the amount of \$175,000. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:38:55)

12. Consider approval of the Construction Contract with K&E Excavating, Inc. in the amount of \$250,862 for the construction of a streambank revetment and related work for the Nusom Road/Abiqua Creek Bank Stabilization Project through December 31, 2024. –Ryan Crowther.

Summary of presentation:

- The contract was done using emergency procurement rules:
 - This is based on the emergency board order 23R-10.
- Abiqua Creek is scouring near Nusom Road with potential for road failure this winter:
 - The problem should be addressed this summer before issues develop.
- Emergency order was approved in a prior meeting two months ago;
- Staff had 60 days from approval of the order to bring a contract forward:
 - Currently the staff is still ahead of that timeline.
- The project will include riprap revetment with fish logs;
- Currently the permitting process is being done with the following partners:
 - The Department of State Lands (DSL);
 - The U.S. Army Corps of Engineers (USACE); and
 - The Department of Environmental Quality (DEQ).

Board discussion:

- There was a concern with the DSL and Oregon Department of Fish and Wildlife emergency permitting process and if this would be seen as an emergency:
 - The permit was obtained.
- USACE and DEQ agreed to expedite the permits and currently the process is waiting on this:
 - The in-water work window ends September 15, 2023, and permitting is needed for this; and
 - Currently this is on track to be completed by this summer.
- ODFW stated this project does not require a fish passage permit;
- An environmental consultant is on board helping navigate the permitting process and making sure everything is done correctly;

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- What will be needed is a permit to isolate the area if needed:
 - This allows the fish to be moved from the water when isolating; and
 - This is a fish tank permit.
- The process is moving forward:
 - Questions may arise but at this time things are on track for permitting.

Motion: Commissioner Cameron moved to approve the Construction Contract with K&E Excavating, Inc. in the amount of \$250,862 for the construction of a streambank revetment and related work for the Nusom Road/Abiqua Creek Bank Stabilization Project through December 31, 2024. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:43:28)

PUBLIC HEARINGS

9:43 A.M.

COMMUNITY SERVICES

A. Public hearing to consider the 2023-24 Annual Action Plan for the Community Development Block Grant (CDBG) and the HOME Investments Partnership programs. –Steve Dickey

Summary of presentation:

- US Housing and Urban Development requires an annual action plan;
- The annual action documents the following:
 - Public involvement;
 - Input over the last;
 - Total funding available for the upcoming year; and
 - Plan on how to spend the funds in the upcoming year:
 - This is based on goals from the five-year consolidated plan.
- Community Development Block Grant (CDBG) funding of \$1,412,882 is the following:
 - Program administration which are internal costs to oversee the program has a funding amount of \$282,576;
 - Soaring Heights has a funding amount of 350,000;
 - Boys and Girls staffing increase for \$111,932;
 - Woodburn’s Center for Hope and Safety is funded at \$100,000; and
 - Homeowner rehabilitation is funded at \$568,374.
- HOME Investment Partnership funding is \$645,215 is the following:
 - Community Housing Development Organization set aside \$96,782:
 - The Department of Housing and Urban Development (HUD) requires a percentage set aside.
 - Down payment assistance is funded at \$483,911.

Board discussion:

- This is the third year with the program:

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- The first year entailed setting up the program; and
- Last year was the first year of programs being rolled out.
- In September an annual performance plan will be presented;
- Federal programs can be complicated to navigate;
- The first two years of trying to understand were complex and things changed but the programs started;
- County's goal is to utilize the funding to help the community;
- A visual should be created to help the public see what exactly is being invested in:
 - It can be hard to fully understand every part of the program.
- The current amendment is giving funding for the following:
 - The Boys and Girls Club the Epping Homestead branch;
 - Center for Hope and Safety for Woodburn based services;
 - Soaring Heights to purchase another transitional housing home;
 - The Down Payment Assistance program; and
 - Habitat for Humanity Mid-Willamette Valley will receive \$250,000.
- The program involves many parts, but the work is for a good cause.

MOTION: Commissioner Bethell moved to close the public hearing for the 2023-24 Annual Action Plan for the Community Development Block Grant (CDBG) and the HOME Investments Partnership programs. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:50:36)

B. Public hearing to consider Substantial Amendment #2 to the Fiscal Year 2021-2022 Annual Action Plan for the federal Community Development Block Grant (CDBG) and the HOME Investments Partnership programs. –Steve Dickey

Summary of presentation:

- HUD requires any change of 25 percent in funding must be amended in the Annual Action Plan;
- The Annual Action Plan of 2021-2022 has a few projects that will have funding removed;
- These projects had their funding moved or reduced to fund other projects;
- The following programs have had a 25 percent or more change:
 - The Neighbors Serving Under Sheltered Neighbors Project:
 - Reducing the project by the full amount of \$50,000; and
 - The project never came to fruition and so funding was unused.
 - The Homeowner Rehabilitation program was reduced by \$150,000:
 - This is funding available from the first year; and
 - There is \$633,615.20 remaining in the program.
- The combined reduction from both projects equals \$200,000 in funding:
 - This will fund the Safe Sleep Program; and

- United Way of the Mid-Willamette Valley will operate the project.

Board discussion:

- Unfortunately, there is high levels of sexual assault taking place in homeless camps:
 - What the community does to help reflects who the community is.
- Safety for the homeless is so important that funding needs to be moved around to help; and
- Commissioner Willis expressed that no one had signed up for public comment for this hearing.

MOTION: Commissioner Cameron moved to close the public hearing for Substantial Amendment #2 to the Fiscal Year 2021-2022 Annual Action Plan for the federal Community Development Block Grant (CDBG) and the HOME Investments Partnership programs. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:54:22)

ACTION

COMMUNITY SERVICES

13. Consider approval of a resolution to adopt the Program Year 2023-2024 Annual Action Plan for the Community Development Block Grant (CDBG) and the HOME Investments Partnership programs. **(TO BE ACTED ON FOLLOWING THE PUBLIC HEARING)** –Steve Dickey

Summary of presentation:

- *None*

Board discussion:

- None

MOTION: Commissioner Bethell moved to approve a resolution to adopt the Program Year 2023-2024 Annual Action Plan for the Community Development Block Grant (CDBG) and the HOME Investments Partnership programs. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:54:55)

14. Consider a resolution approving Substantial Amendment #2 to the Fiscal Year 2021-2022 Annual Action Plan for the federal Community Development Block Grant (CDBG) and the HOME Investments Partnership programs. **(TO BE ACTED ON FOLLOWING THE PUBLIC HEARING)** –Steve Dickey

Summary of presentation:

- *None*

Board discussion:

- None

MOTION: Commissioner Cameron moved to approve a resolution approving Substantial Amendment #2 to the Fiscal Year 2021-2022 Annual Action Plan for the federal Community Development Block Grant (CDBG) and the HOME Investments Partnership programs. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:55:32)

Commissioner Cameron requested and received unanimous consent to return to Public Comment.

(Video Time 00:56:08)

PUBLIC COMMENT

Eric Rasor:

- Executive Director of Soaring Heights Recovery Homes;
- There is a property in Keizer where a lease was signed:
 - There were five individuals placed in the home after five days.
- The 2023 We See You event was attended:
 - This is community partners that work with homeless individuals;
 - An individual that was homeless with her son was at the event;
 - They were housed the next day and in a safe place; and
 - This is what this type of housing does for the community.
- The home has an occupancy of seven women with or without children;
- The following has been done to the home:
 - New roofing;
 - New paint job;
 - New windows;
 - The electrical was redone;
 - The plumbing is to the streets; and
 - The interior has been completely remodeled.

Victoria Meridith:

- President of Soaring Heights Recovery Homes;
- It is great to be able to tell the kids that this is their home with a bed;
- They can help kids get into school.

Board Discussion:

- Both homes for women in Keizer were toured by Commissioner Bethell:
 - One home was funded through the first round of CDBG funding.
- The homes have impressive layouts and there was the opportunity to meet a few residents and their children:
 - The homes do not have an institutional atmosphere but a comforting atmosphere.
- Thankful that the board and community sees the benefit of the investment:
 - There is an employee of the home who was at one point a resident.
- National Night Out was last night:
 - There were 14 events across Marion County;
 - Sheriff's Office staff did a great job organizing the Sheriff and deputies to various events;
 - Sheriff Hunter attended many and ended at the Sublimity event;
 - Commissioner Cameron attended the event in Jefferson where a state trooper donated food;
 - Commissioner Bethell attended the Sublimity event where there were many activities and people; and
 - There were a few events that had not started yet and so the commissioners were not able to attend.

Commissioner Willis adjourned the meeting at 10:02 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

Board Sessions can be viewed on-line at

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

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