

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, May 14, 2025
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Colm Willis and Commissioner Kevin Cameron. Also present were Steve Elzinga as county counsel and Brenda Koenig as recorder.

ABSENT: Commissioner Danielle Bethell and Jan Fritz, chief administrative officer

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

(Video Time 00:00:37)

PUBLIC COMMENT

None.

(Video Time 00:00:40)

PROCLAMATION

BUSINESS SERVICES

1. Consider approval of a proclamation designating May 14, 2025, as Facilities Management Day in Marion County. –Tamra Goettsch

Summary of presentation:

- Facilities Management Day is celebrated across the nation to recognize individuals who provide the following services:
 - Construction;
 - Custodial;
 - Maintenance; and
 - Capital projects.
- Facilities staff ensure county employees can provide services to departments and public members; and
- Facilities staff are conscientious, reliable, and hard-working:
 - They take into account the county's needs.

Board discussion:

- The commissioners expressed their appreciation to staff for all the work that they perform;
- Behind-the-scenes workers are important and necessary to keep things running;

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- County buildings are clean and well maintained; and
- The team's spirit and dedication are appreciated.

MOTION: Commissioner Cameron moved to approve a proclamation designating May 14, 2025, as Facilities Management Day in Marion County. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

The commissioners read the proclamation.

(Video Time 00:09:12)

CONSENT

BUSINESS SERVICES

2. Approve an order authorizing the Marion County Board of Commissioners, Vice-Chair, to sign a Termination Agreement for the acquisition of property located at 220 37th Avenue NE in Salem, Oregon.

HEALTH AND HUMAN SERVICES

3. Approve Amendment #11 to the incoming funds Intergovernmental Agreement with the Oregon Health Authority to add \$200,000 for MHS-04, Aid and Assist Client Services, for a new contract total of \$23,800,704.27 through June 30, 2025.

HUMAN RESOURCES

4. Forward to the 2025-26 Marion County Budget Committee the 2025 Elected Officials Compensation Board recommendations.

PUBLIC WORKS

5. Receive notice of the hearings officer's decision approving Conditional Use (CU) Case #24-043/MKI Construction, LLC.

6. Approve a resolution to initiate consideration of amendments to clarify the applicability of existing code provisions related to battery energy storage systems in the Marion County Urban and Rural Zone Codes, Chapters 16 and 17, and direct the Marion County Planning Director to schedule a public hearing to receive testimony on the proposed amendments.

SHERIFF'S OFFICE

7. Approve Amendment #6 to the Contract for Services with Trinity Services Group, Inc., to add \$261,019.28 for a new contract total of \$8,228,205.58 to continue to provide food services to the Marion County Jail and the Stabilization Center through June 30, 2026.

TAX OFFICE

8. Approve orders for a property tax refund for the following tax accounts:

- Herron Crossing, LLC, account 327912, in the amount of \$43,027.77;
- Herron Crossing, LLC, account 327913, in the amount of \$33,132.28; and
- OGSC Macy's, LLC, account 589030, in the amount of \$29,953.29.

Board discussion:

- Commissioner Cameron expressed for the record that there was a potential conflict of interest for agenda item #4 under Human Resources; and
- Commissioner Willis also noted for the record a potential conflict with agenda item #4.

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

(Video Time 00:12:19)

ACTION

HEALTH AND HUMAN SERVICES

9. Consider approval of the incoming funds Grant Agreement with the Oregon Health Authority in the amount of \$2,937,125 to support a Capital Investment project for renovations at the Marion County Behavioral Health Crisis Center through December 31, 2025.

—Ryan Matthews

Summary of presentation:

- The incoming funds Grant Agreement with the Oregon Health Authority (OHA) is for \$2,937,125;
- The solicitation for the agreement occurred in March 2024:
 - The state put out a \$50 million grant application for shovel-ready projects to bolster residential bed capacity;
 - Crisis stabilization centers were identified as qualifying entities for the funding;
 - Marion County Health and Human Services (MCHHS) applied for the grant to assist with renovation costs associated with the recently purchased crisis center; and
 - The county was awarded 2.9 million for the project.
- OHA has reviewed the architectural renderings to ensure that the project qualifies for grant funding;
- The project has taken time to work through the funding process;
- Renovations for the crisis center are underway;
- The center is scheduled to open later in the year; and
- The crisis center will provide mental health and substance use services.

Board discussion:

- The crisis center is near Salem Health:
 - Transportation will be necessary to travel between the two establishments; and

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- Salem Health does not have the space that the county needs to grow the crisis center.
- MCHHS's goal is to divert individuals away from the emergency room whenever possible;
- Government funding timelines are a challenge:
 - Counties and small jurisdictions may not be able to wait 15 months for funding; and
 - Frequently work needs to start before funding arrives.
- The state needs to assess the process to determine if they are enabling small local governments to effectively partner with them; and
- A process needs to be figured out that breaks down the red tape so that funding arrives quicker.

MOTION: Commissioner Cameron moved to approve the incoming funds Grant Agreement with the Oregon Health Authority in the amount of \$2,937,125 to support a Capital Investment project for renovations at the Marion County Behavioral Health Crisis Center through December 31, 2025. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:18:35)

10. Consider approval of Amendment #1 to the Contract for Services with Nathaniel Kravitz to add \$275,000 for a new contract total of \$675,000 to continue to provide skilled medical assessment and Psychiatric Mental Health Nurse Practitioner (PMHNP) services to Marion County Health and Human Services clients through June 30, 2027. –Carol Heard

Summary of presentation:

- The Contract for Services is with Nathaniel Kravitz, a Psychiatric Mental Health Nurse Practitioner (PMHNP);
- Mr. Kravitz provides services for the county's adult behavioral health program;
- Amendment #1 entails the following:
 - Extends the term date to June 30, 2027; and
 - Increases the contract's value to a not-to-exceed amount of \$675,000.
- The contract enables Mr. Kravitz to provide the following:
 - Skilled medical assessments;
 - Ongoing supervision for individuals that require behavioral health medications; and
 - Individual meetings with adult behavioral health clients.
- Mr. Kravitz will provide up to 21 hours of service per week.

Board discussion:

- The contract was discussed in detail at a prior Management Update meeting.

Motion: Commissioner Cameron moved to approve Amendment #1 to the Contract for Services with Nathaniel Kravitz to add \$275,000 for a new contract total of \$675,000 to continue to provide skilled medical assessment and Psychiatric Mental Health Nurse Practitioner (PMHNP) services to Marion County Health and Human Services clients through June 30, 2027. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:20:38)

PUBLIC WORKS

11. Consider approval of Amendment #4 to the Engineering and Related Services Contract with DOWL, LLC to add \$615,162.04 of which an estimated \$551,984.90 will utilize federal funding and an estimated \$63,177.14 will utilize county funding for a new contract total of \$1,797,174.84 to provide construction engineering and inspection services for the North Fork Slide Stabilization project through December 31, 2028. –Ryan Crowther

Summary of presentation:

- DOWL, LLC is the engineering consultant for the North Fork Slide Stabilization project;
- North Fork Road is located east of the City of Salem:
 - The project's work zone is between milepost 4.9 and milepost 5.5; and
 - Work will be performed in the gravel section between the two mileposts.
- The project is addressing a slide area that has been active for multiple years:
 - There are three existing slide areas; and
 - The project will stabilize one of the three areas.
- The project scope entails the following:
 - The area will be stabilized with a shear key buttress:
 - A portion of the slide area will be excavated;
 - A significant amount of large rock will be installed into stable ground; and
 - The large rocks will hold the hillside in place.
- Completed work for the project to date includes:
 - A geotechnical analysis;
 - The project design;
 - Estimates have been reviewed;
 - Environmental permits are being finalized;
 - The Right-Of-Way (ROW) acquisition is underway; and
 - The utility relocation is underway.
- It is estimated that construction for the project will occur in the summer of 2026;
- Outside utility companies will be working during the 2025 summer months to relocate their utilities;
- DOWL, LLC will provide construction oversight which includes:
 - Project management;
 - The engineer of record services;
 - Contract administration;

- Inspection services by experienced inspectors;
- Monthly progress estimates;
- Quality control monitoring; and
- A variety of other tasks as needed.
- Amendment #4 increases the contract by an estimated \$615,162.04;
- The new estimated total for the contract is \$1,797,174.84;
- The federal grant award entails the following:
 - The total project cost is \$11,493,232:
 - An estimated \$10,422,810 will utilize federal funding; and
 - The county's match is estimated to be \$1,070,422.
- The project schedule includes:
 - The design and ROW will be finalized during the summer of 2025;
 - An invitation to bid will occur in the fall of 2025; and
 - Construction will start in the spring of 2026.
- Staff would like to provide contractors with enough time to crush the rock required for the project.

Board discussion:

- Marion County Public Works staff are actively working throughout the corridor.

MOTION: Commissioner Cameron moved to approve Amendment #4 to the Engineering and Related Services Contract with DOWL, LLC to add \$615,162.04 of which an estimated \$551,984.90 will utilize federal funding and an estimated \$63,177.14 will utilize county funding for a new contract total of \$1,797,174.84 to provide construction engineering and inspection services for the North Fork Slide Stabilization project through December 31, 2028. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:25:45)

12. Consider approval of the Construction Contract with North Santiam Paving (NSP) Company in the amount of \$3,902,349.68 to provide asphalt and concrete resurfacing for various Marion County roads through September 30, 2026. –Ryan Crowther

Summary of presentation:

- The contract is with the North Santiam Paving (NSP) Company;
- The county plans to pave roads primarily near the City of Mt. Angel and the City of Salem during the summer months of 2025;
- Roads scheduled for repairs include:
 - McKee School Road NE;
 - Monitor-McKee Road NE;
 - 114th Street;
 - 114th Avenue;

- Waypark Drive NE;
- West Church Road NE;
- Saratoga Drive NE;
- Hook Road NE; and
- North Howell Road NE.
- The construction plan entails the following:
 - Isolated pavement repairs;
 - Applying a scrub seal base layer on two roadways to help stabilize before the overlay is applied:
 - This will help to increase roadway life.
 - Base lift and top lift paving;
 - Guardrail replacement if needed;
 - New striping;
 - Shoulder rock installation if needed; and
 - Any miscellaneous work as required.
- The county received four bids for the project:
 - NSP submitted the lowest bid of \$3,902,349.68.
- County funds will be utilized for the annual project; and
- Work will be performed during the months of May 2025 through September 2025.

Board discussion:

- Marion County road funds will be utilized for the project:
 - Gas taxes received from the state contribute to the road fund; and
 - The project is 100 percent funded utilizing gas tax dollars.
- Citizen members in the City of Mt. Angel are happy that area roads are scheduled for repairs; and
- Only asphalt will be utilized for the repairs.

MOTION: Commissioner Cameron moved to approve of the Construction Contract with North Santiam Paving Company in the amount of \$3,902,349.68 to provide asphalt and concrete resurfacing for various Marion County roads through September 30, 2026. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:29:15)

13. Consider approval of a Guaranteed Maximum Price (GMP) amendment to the Construction Manager/General Contractor (CM/GC) Contract with Slayden Constructors, Inc. to add American Rescue Plan Act (ARPA) funding in the not-to-exceed amount of \$32,958,791 for a new contract total of \$37,538,603 for construction of the North Santiam Canyon Sewer Project through December 31, 2026. –Chris Einmo

Summary of presentation:

- The Guaranteed Maximum Price (GMP) amendment to the Construction Manager/General Contractor (CM/GC) Contract is a significant milestone for the North Santiam Canyon Sewer Project:
 - This is the construction amendment to actually build the treatment plant in the City of Mill City.
- The treatment plant project has been ongoing for a lengthy period of time;
- Significant reasons for the project include:
 - It is critical for rebuilding in fire-affected areas following the 2020 wildfires;
 - A planned collection system enables future housing development in both the City of Mill City and the City of Gates:
 - Many property owners have been unable to rebuild due to a lack of space for a septic system.
 - Protects the water quality of the North Santiam River:
 - Wastewater treatment plants are the first line of defense for all rivers located within the United States;
 - The river supplies both the City of Salem and the City of Stayton with water;
 - Rivers are an important source for recreation; and
 - Rivers are an important source for tribal entities.
- The North Santiam Canyon Sewer Project background entails the following:
 - The first feasibility study was performed in 1996;
 - The existing City of Mill City treatment plant was built as a temporary solution 30 years ago:
 - The existing plant is now at the end of its usable life.
 - A student project in 2017 led to the formation of the North Santiam Sewer Authority;
 - Master plans were drafted; and
 - The plans resulted in the state investing \$50 million in American Rescue Plan Act (ARPA) funding for the project.
- ARPA deadlines require construction to be completed by December 2026:
 - Construction needs to start in June 2025;
 - Purchase of the property for the project is in the final stage; and
 - The stormwater permit has been received.
- The current plant does not have primary treatment and cannot receive raw waste;

- The existing plant will be replaced with an advanced facility that has primary, secondary, and tertiary treatment capabilities:
 - Primary treatment details include:
 - Accepts the raw waste;
 - Separates sludge and dries it; and
 - Hauls the sludge away.
 - Secondary treatment details include:
 - Nitrogen and nutrient removal;
 - Algae bloom prevention; and
 - Protects against oxygen loss in the river.
 - Tertiary treatment details include:
 - Ultraviolet disinfection; and
 - Biosand filters to remove additional nitrogen.
- The new plant will effectively clean the affluent waste before it is discharged to the ground water;
- The Construction Manager/General Contractor (CM/GC) takes all project components and bids them individually:
 - Fifty different bid packages were publicly advertised; and
 - Both the CM/GC and the county thoroughly reviewed the bids.
- Slayden Constructors, Inc., can perform approximately 18 percent of the work themselves including:
 - Earth work;
 - Paving; and
 - Laying yard piping.
- Approximately 60 percent of the cost was sub-contracted bid work that was publicly advertised and included:
 - Electrical;
 - Piping;
 - Pipe supports; and
 - Guard rails.
- Management and administration costs were negotiated two years prior and are fixed rates;
- Fees, bonds, and insurance are included in the contract;
- The county hired an independent cost estimator to review the GMP package that was submitted by the contractor:
 - Detailed studies for the following were performed to ensure that everything in the contract is in line with industry standards:
 - Labor;
 - Support administration;
 - Management; and
 - Equipment.
 - The cost estimator reviewed in detail all 50 Requests For Proposals (RFP's) that were submitted.

- The preconstruction contract for the design process phase included:
 - Attending engineering design meetings;
 - Work with engineers to develop cost estimates; and
 - Value engineering.
- Preconstruction and Early Work Amendments (EWA) for the following totaled and estimated \$4,579,812:
 - An on-site pilot infiltration basin study;
 - The procurement of a Sequencing Batch Reactor (SBR) and filter; and
 - Electrical equipment.
- The estimated cost of the work for the new treatment plant was \$26,078,146:
 - This is a GMP proposal, so the cost to build will not increase; and
 - The proposal may be lower if allowances are not fully utilized.
- Additional allowances related to the following increased the total to \$29,924,796:
 - Design evolution to adjust to any changes that may come in from the final permitting review;
 - The potential escalation of tariffs;
 - Infiltration and inflow improvements within the City of Mill City's sewer system:
 - The city will be contributing a portion of their ARPA award to the improvements.
 - A CM/GC contingency to deal with any unknown risks that arise.
- Additional markups related to the following increased the total to \$32,958,791:
 - The CM/GC fee;
 - Insurance;
 - Bonds;
 - Builders risk; and
 - Corporate tax.
- An on-site gravel plant that was set up at the project site saved approximately \$1 million:
 - Aggregate was generated from large boulders found at the project site.
- The final cost is approximately \$2.5 million less than what was originally projected;
- The project's current total is estimated to be \$37,538,603:
 - An initial estimate when the project was under consideration was \$40,500,000.
- Construction timelines are tight due to ARPA deadlines:
 - It is anticipated that construction will start in June 2025;
 - The project may be substantially complete by November 2026; and
 - Billing and remaining tasks are anticipated to be completed in December 2026.
- Bringing different components of the plant on-line, including the following, will start in October 2026 before the final construction is complete:
 - Clean water will be cycled through the plant;
 - The City of Mill City's operating team will get involved;
 - Bringing equipment into operation;
 - Implementing operation maintenance; and
 - The reactor will be brought on-line once the discharge permit has been received.

- Slayden Constructors, Inc. will provide their own operators that specialize in commissioning plants during the commission process;
- Operators working for Slayden Constructors, Inc. will gradually hand the operations over to the city's operators;
- Marion County is only the contracting and pass-through agency and is not supplying any funding for the project; and
- The plant will be turned over to local ownership for operation once it has been completed.

Board discussion:

- Commissioner Cameron expressed his appreciation to the following for the extensive number of hours that have been contributed to the project:
 - County staff;
 - Citizens from the following cities that served on committees:
 - Detroit;
 - Gates;
 - Idanha; and
 - Mill City.
 - Oregon Legislature and state committees that worked to secure \$50 million in ARPA funding for the Santiam Canyon following the 2020 wildfires; and
 - County and outside legal teams that helped to navigate issues.
- The county is still working with the Oregon Department Of Environmental Quality (DEQ) to navigate challenges:
 - Oregon Legislature passed a bill that allows construction on the project to start; but
 - There are still facility operating obstacles to overcome.
- It is anticipated that clean water testing can start in August of 2026:
 - A permit is not required to run clean water because the water will run on a closed loop and not be discharged into the river;
 - The test will be to check pressures and for potential leaks;
 - Available options for a clean water discharge test include:
 - The county would apply with the state for an overland application permit; or
 - The clean water can be sent to the old plant for processing.
- A discharge permit will be needed once the reactor biology goes live:
 - It is anticipated that this permit will be needed by September 2026.
- Government projects can be a challenge; and
- Infrastructure projects are important for community growth.

MOTION: Commissioner Cameron moved to approve a Guaranteed Maximum Price (GMP) amendment to the Construction Manager/General Contractor Contract with Slayden Constructors, Inc. to add American Rescue Plan Act (ARPA) funding in the not-to-exceed amount of \$32,958,791 for a new contract total of \$37,538,603 for the construction of the North Santiam Canyon Sewer Project through December 31, 2026. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

PUBLIC HEARINGS

9:30 A.M.

None.

Commissioner Willis adjourned the meeting at 9:55 a.m.

CHAIR

COMMISSIONER

COMMISSIONER

Board Sessions can be viewed on-line at

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