



MARION COUNTY BOARD OF COMMISSIONERS

Board Session Agenda Review Form

Meeting date: 8/6/2525

Department: Public Works

Title: Consider Order to Establish a Local Access Road Continuing Maintenance Program

Management Update/Work Session Date: 5/13/2025 Audio/Visual aids ☐

Time Required: 10 min Contact: Max Hepburn Phone: 503-566-4157

Requested Action:

Adopt the enclosed Board Order establishing a Local Access Road Continuing Maintenance Program authorizing limited maintenance to be performed by the County on specified local access roads.

Issue, Description & Background:

Once a rare occurrence, the issuance of emergency orders by the Marion County Board of Commissioners to perform urgent maintenance of local access roads to address hazards to public health and safety has become more commonplace. Establishing a continuing program to perform limited maintenance will allow Public Works to quickly address public safety issues on those roads under the program. Limited maintenance of those roads proposed for the program will be conducted on an as-needed basis with the intent to prevent deterioration of the driving surface that would otherwise result in a hazard to public health and safety if left unaddressed.

Financial Impacts:

Cost of maintenance per-mile-of-road is dependent on whether a road is paved or unpaved, and the condition of that surface. The 7.25 miles of road proposed for the program will result in an additional average annual maintenance cost of approximately \$80,000. Sufficient maintenance funds exist within the County Road Fund (Fund 130) to provide the limited maintenance proposed.

Impacts to Department & External Agencies:

Establishing the Local Access Road Continuing Maintenance Program will add 7.25 road miles to be maintained by Public Works.

List of attachments:

Board Order

Presenter:

Max Hepburn

Department Head Signature:

Brian Nicholas

Digitally signed by Brian Nicholas
Date: 2025.07.16 07:45:00 -07'00'

BEFORE THE BOARD OF COMMISSIONERS

FOR MARION COUNTY, OREGON

In the matter of establishing a Local Access)
Road Continuing Maintenance Program and)
authorizing the expenditure of county moneys)
on certain local access roads.

ORDER No. ____

This matter came before the Marion County Board of Commissioners at its regularly scheduled public meeting on Wednesday, August 6, 2025.

WHEREAS, ORS 368.031 authorizes a county governing body to spend county moneys on local access roads if recommended by the county road official, if the public use of the road justifies the expenditures, and if the county governing body enacts an order designating the work as either a single project or a continuing program; and

WHEREAS, the county road official has recommended the establishment of a Local Access Road Continuing Maintenance Program as described in the attached Exhibit A; and

WHEREAS, the county road official has recommended a list of roads whereby the public use of the road justifies the expenditure of county moneys as identified in the attached Exhibit B; now therefore

IT IS HEREBY ORDERED THAT THE DIRECTOR OF PUBLIC WORKS shall establish a Local Access Road Continuing Maintenance Program as described in Exhibit A; and

IT IS HEREBY FURTHER ORDERED that the county shall maintain those local access roads identified in Exhibit B pursuant to ORS 368.031 under the continuing program.

DATED at Salem, Oregon, this 6th day of August 2025.

MARION COUNTY BOARD OF COMMISSIONERS

Chair

Commissioner

Commissioner

EXHIBIT A

County Commissioners

Danielle Bethell, Chair

Colm Willis

Kevin Cameron

Chief Administrative Officer

Jan Fritz

**Director**

Brian Nicholas, PE

Deputy Director

Dennis Mansfield

MARION COUNTY PUBLIC WORKS

ROAD OFFICIALS REPORT

RECOMMENDATION TO ESTABLISH A LOCAL ACCESS ROAD SURFACE MAINTENANCE PROGRAM

FINDINGS

In recent years, the Marion County Board of Commissioners has issued emergency orders to authorize the Public Works Department to expend County Road Funds to maintain the driving surface of certain Local Access Roads (LARs) where the condition of such roads presents a hazard to public health and safety. Under Oregon Revised Statute (ORS) 368.031, counties have jurisdiction over LARs but do not assume maintenance responsibility for them. Maintenance, therefore, typically falls to the property owners abutting the roadway, resulting in poorly maintained roads that can become so deeply potholed and rutted as to become nearly untraversable, blocking access to emergency vehicles and essential services.

This is a persistent problem that has grown more acute over time as LAR infrastructure ages without receiving any notable maintenance. Because of this, the issuance of emergency orders to perform urgent maintenance of LARs, once a rare occurrence, has now become common place. According to ORS 368.041, many of these LARs cannot be adopted into the County Road system because the road right-of-way width is less than 50 feet. More generally, these roads were never adopted into the County Road system because the right-of-way is not clearly defined, they were not constructed in conformance with county standards of the time, were constructed without permits, or were simply never petitioned for adoption.

ORS 368.031 allows a county governing body to spend county monies on Local Access Roads only if the work is an emergency or if:

- (a) The county road official recommends the expenditure;
- (b) The public use of the road justifies the expenditure proposed; and
- (c) The county governing body enacts an order or resolution authorizing the work and designating the work to be either a single project or a continuing program.

RECOMMENDATION

To address this persistent public health and safety need in a prudent and cost-effective manner, I recommend the Marion County Board of Commissioners adopt an order creating a continuing program to maintain the driving surface of the following Local Access Roads:

1. Roads that are ineligible for adoption into the County Road system due to insufficient right-of-way width, or
2. Roads having a right-of-way that is not well defined and for which the right-of-way would be overly cumbersome or costly to retrace.

The recommended board order would authorize the Public Works Department to expend County Road Funds for limited maintenance of these LARs to prevent the deterioration of the driving surface to the point where a public safety hazard exists. The maintenance work recommended for authorization includes:

1. pothole repair,
2. grading of gravel roads, including the placement of new rock and asphalt millings,
3. ditching and culvert flushing,
4. asphalt preservation, including slurry seal, chip seal, cape seal and thin asphalt overlay,
5. structural overlay of existing asphalt pavement where less costly alternatives are not feasible,
6. asphalt paving of gravel roads where such pavement will yield long term savings to the county, and
7. minor, ancillary work necessitated by these maintenance activities such as stormwater management and conveyance facilities, pavement markings, and road signs.

It is recommended that the proposed continuing maintenance program exclude road reconstruction, urbanization, enforcement of existing encroachments, and roadside vegetation management.



Brian Nicholas, Director,
Public Works Department

7/16/2025

Date

EXHIBIT B
Roads to be Included in the
Local Access Road Continuing Maintenance Program

4TH ST NE - NCR 3900

ASH LN SE - NCR 3103

BALM CT NE - NCR 3508

ELDIN AV NE - NCR 3525

ELMA AV NE - NCR 3342 (Between Hudson Avenue NE and State Street SE)

GREENLEA WY SE - NCR 3249

HOFFMAN RD NE - NCR 3145

HUSKEY LN SE - NCR 3780

JULIA RD - Between Boones Ferry Road NE and OR 551

KEENE LN SE - NCR 3788

KENWOOD AV NE - NCR 3395

LARUSSA CT NE - NCR 3082

LETTEKEN WY NE - NCR 3321

LEWIS DR SE - NCR 3204

LILAC LN NE - NCR 3322

MILTON ST NE - NCR 3327

SANDRINGHAM DR NE - NCR 3461

SANTIAM WY SE - NCR 3907

SANTIAM PARK RD SE - Access Road to North Santiam County Park from OR 22

SCHAFER RD NE - NCR 3036

SHIPMAN LN SE - NCR 3845

SHIRLEY AV NE - NCR 3846

SHIRLEY CT NE - NCR 3891

SUNNYBROOK LN SE - NCR 3205



Local Access Road Continuing Maintenance Program

PRESENTED BY:
MAX HEPBURN, PE – LAND DEVELOPMENT ENGINEERING & PERMITS SUPERVISOR
MARION COUNTY PUBLIC WORKS
5155 SILVERTON ROAD NE
SALEM, OR 97305
AUGUST 6, 2025

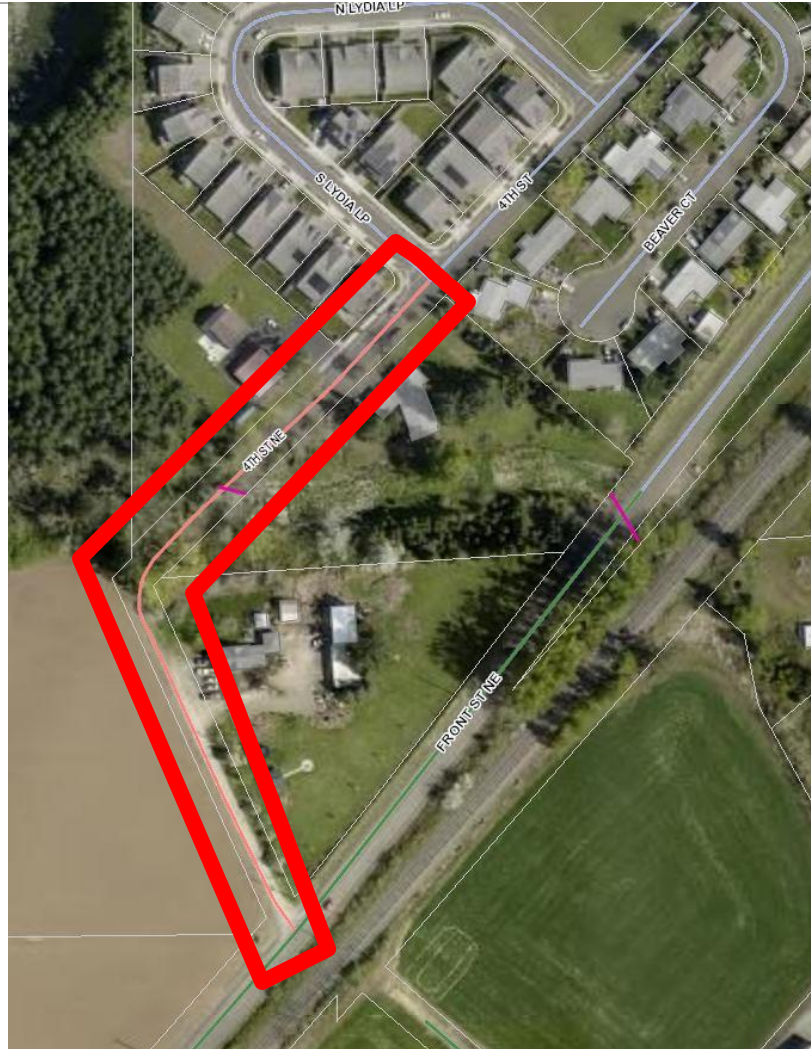
Program Purpose

- Prevent public safety hazards by maintaining driving surfaces of Local Access Roads (also known as NCRs).
- Limited maintenance includes:
 - Pothole repair
 - Grading and placement of rock and millings on gravel roads
 - Ditching and culvert flushing
 - Asphalt preservation (e.g. slurry seal, chip seal, cape seal, thin overlay)
 - Structural overlay if less costly alternatives are not feasible
 - Asphalt paving of gravel roads if yield long-term savings to the County
 - Ancillary work necessitated by these maintenance activities (e.g. management of stormwater facilities, pavement markings, roadside vegetation)

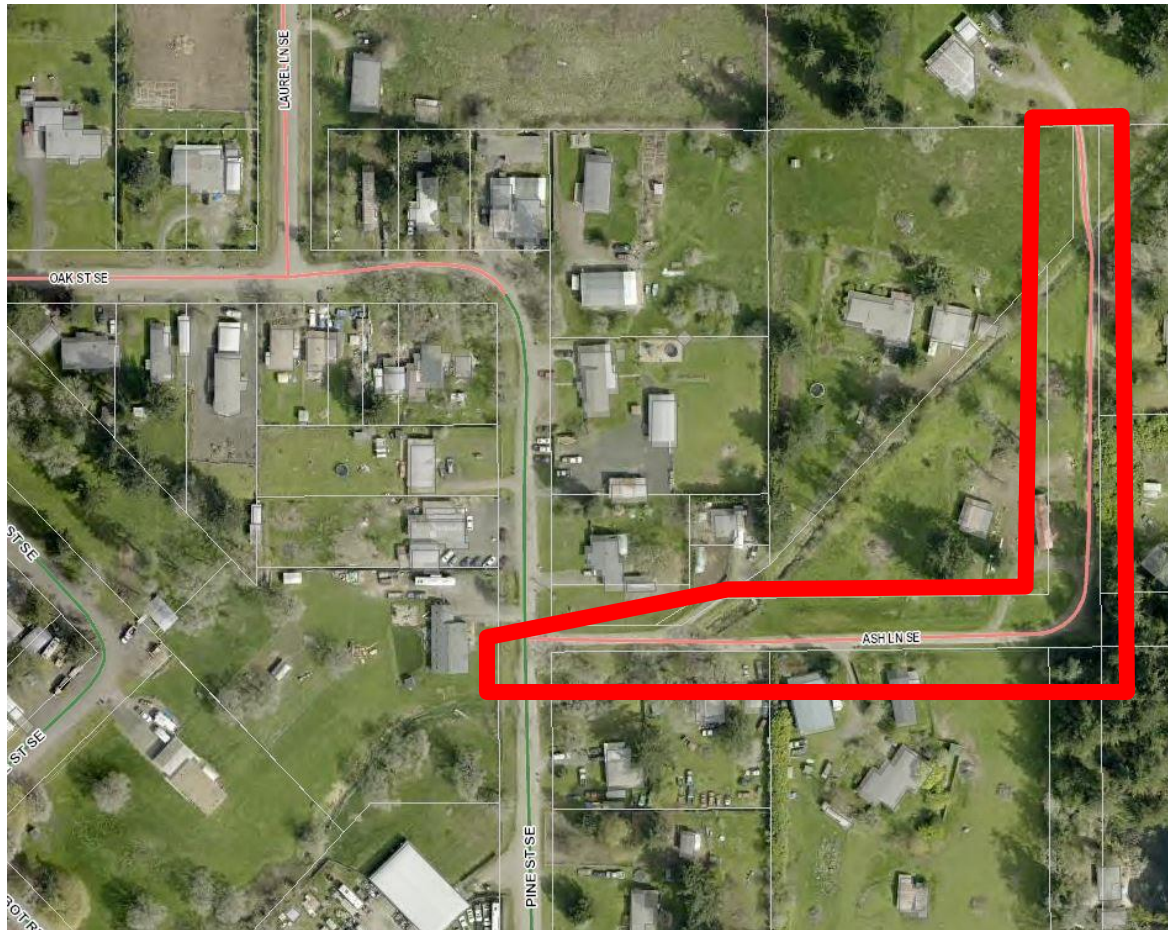
Roads Proposed for Program

- 4th Street NE
- Ash Lane SE
- Balm Court NE
- Eldin Avenue NE
- Elma Avenue NE (State Street to Hudson Avenue)
- Greenlea Way SE
- Hoffman Road NE
- Huskey Lane SE
- Julia Road
- Keene Lane SE
- Kenwood Avenue NE
- Larussa Court NE
- Letteken Way NE
- Lewis Drive SE
- Lilac Lane NE
- Milton Street NE
- Sandringham Drive NE
- Santiam Way SE
- Santiam Park Road SE
- Schafer Road NE
- Shipman Lane SE
- Shirley Avenue NE
- Shirley Court NE
- Sunnybrook Lane SE

4th Street NE



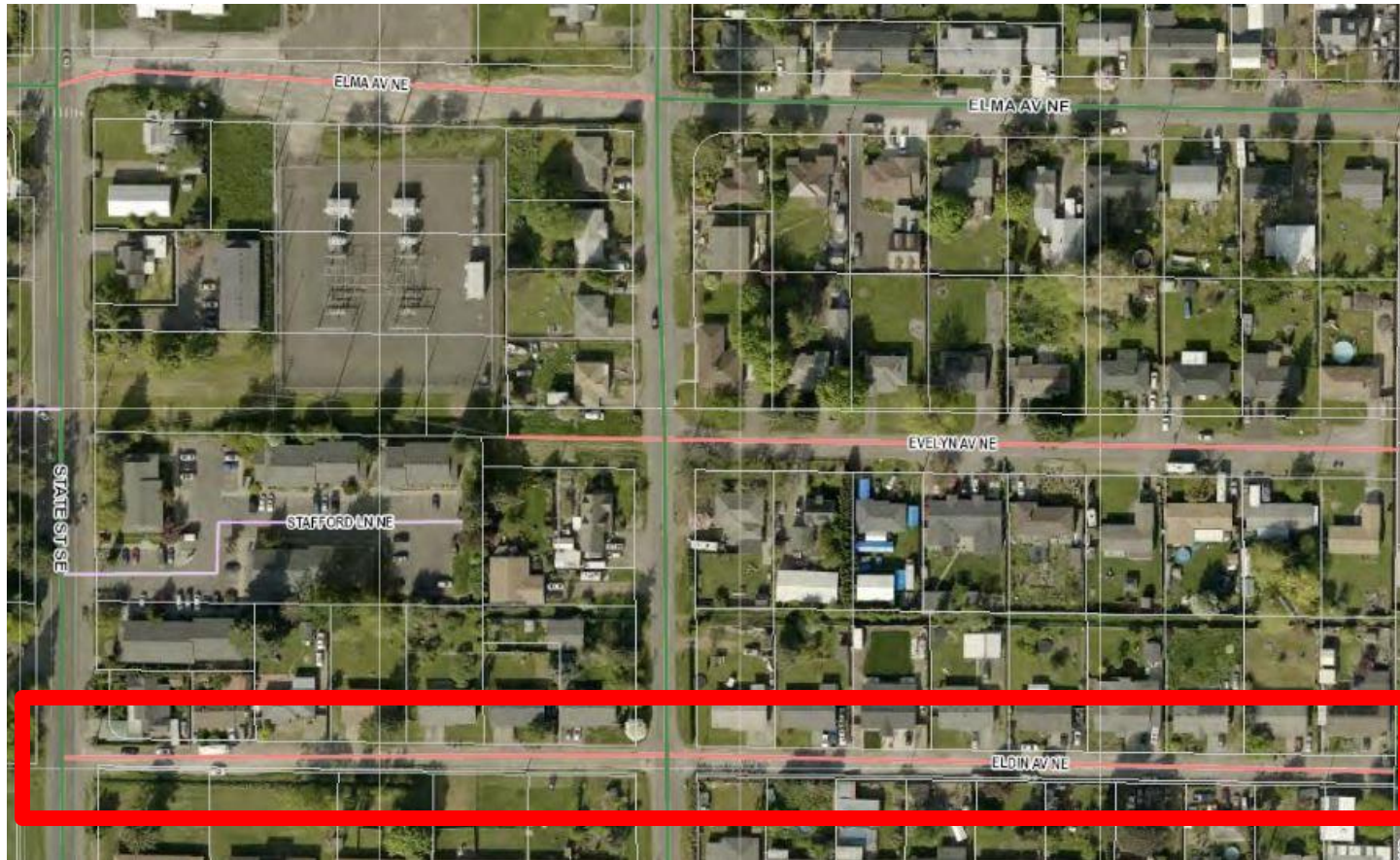
Ash Lane SE



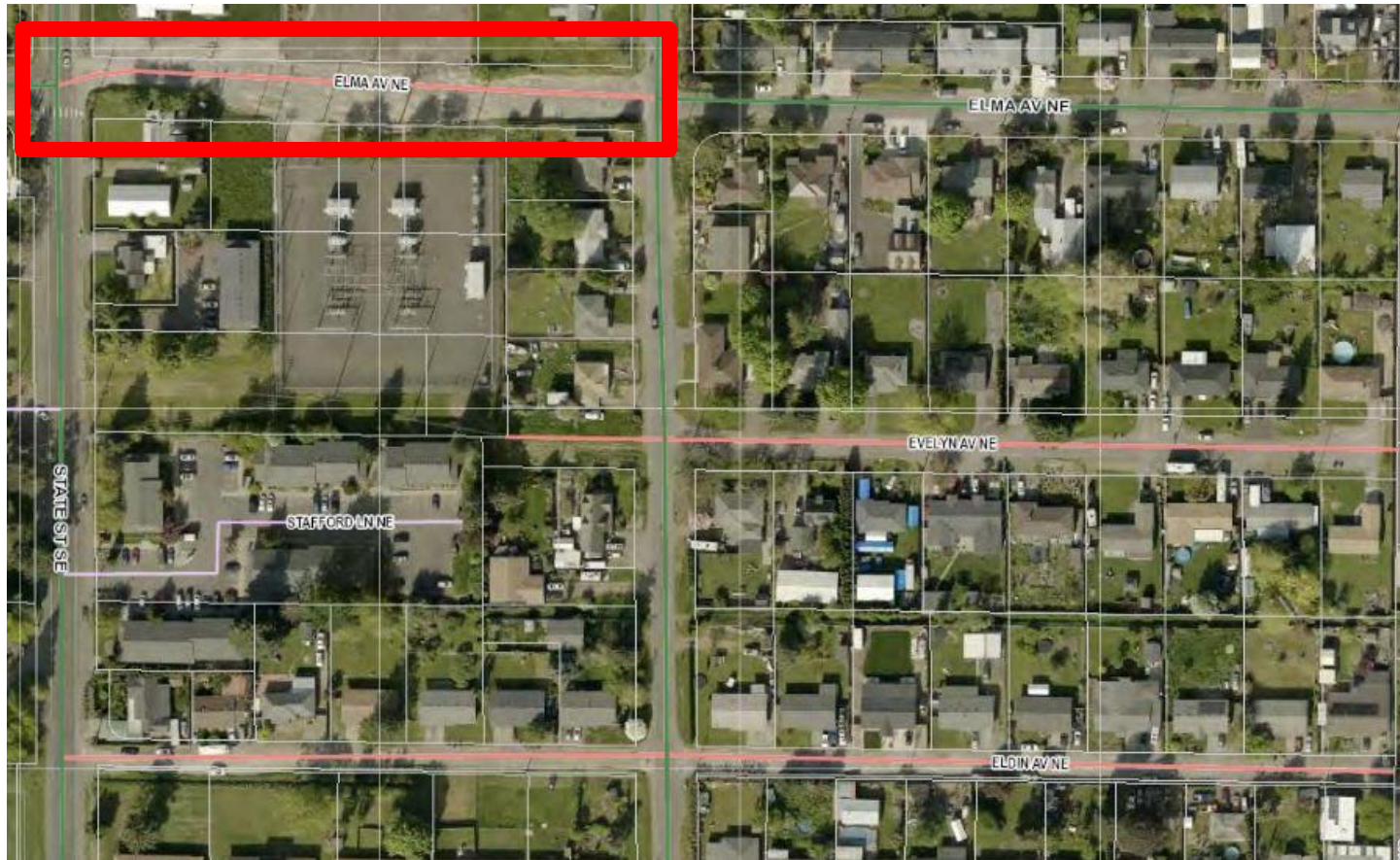
Balm Court NE



Eldin Avenue NE



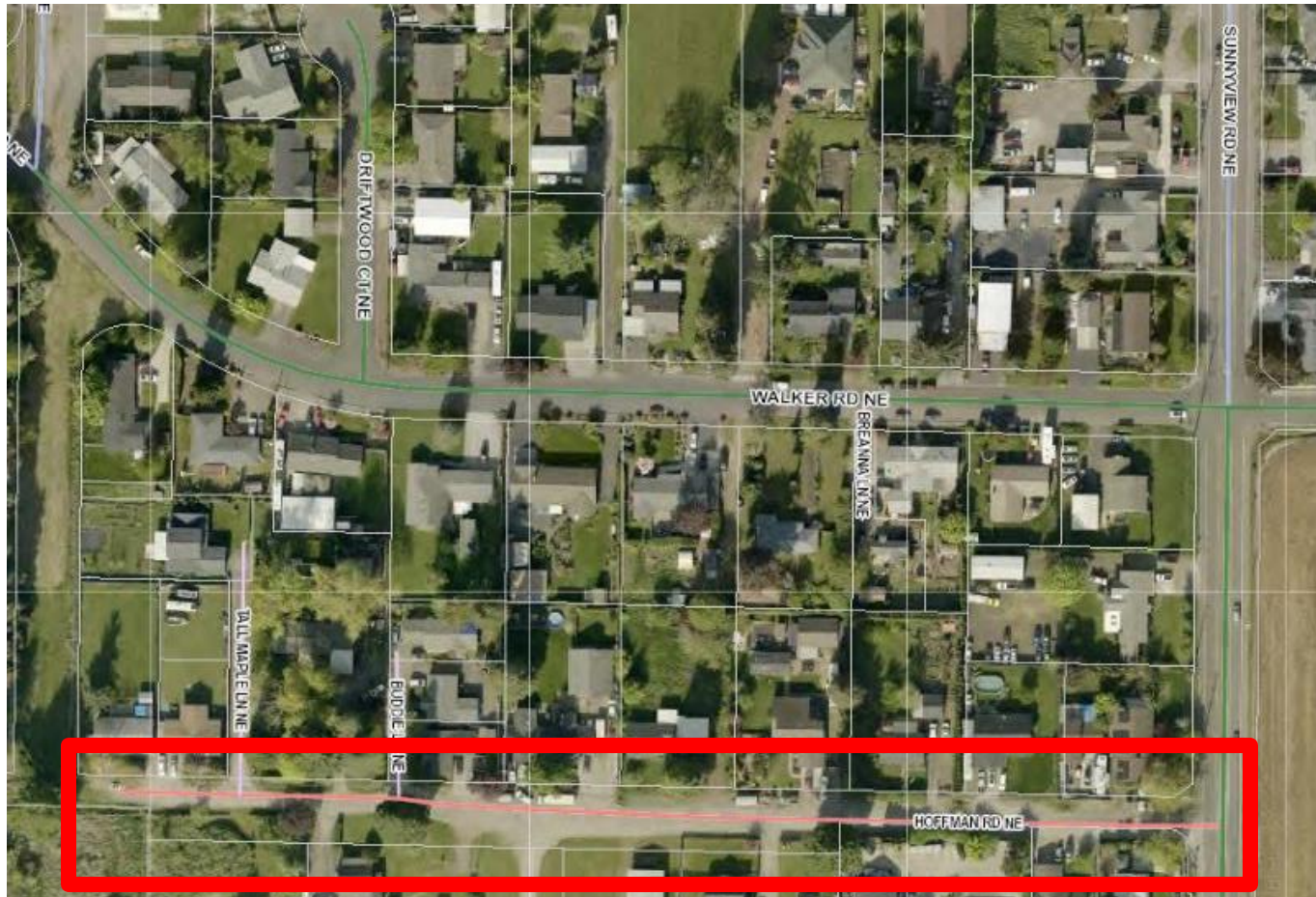
Elma Avenue NE



Greenlea Way SE



Hoffman Road NE



Huskey Lane SE



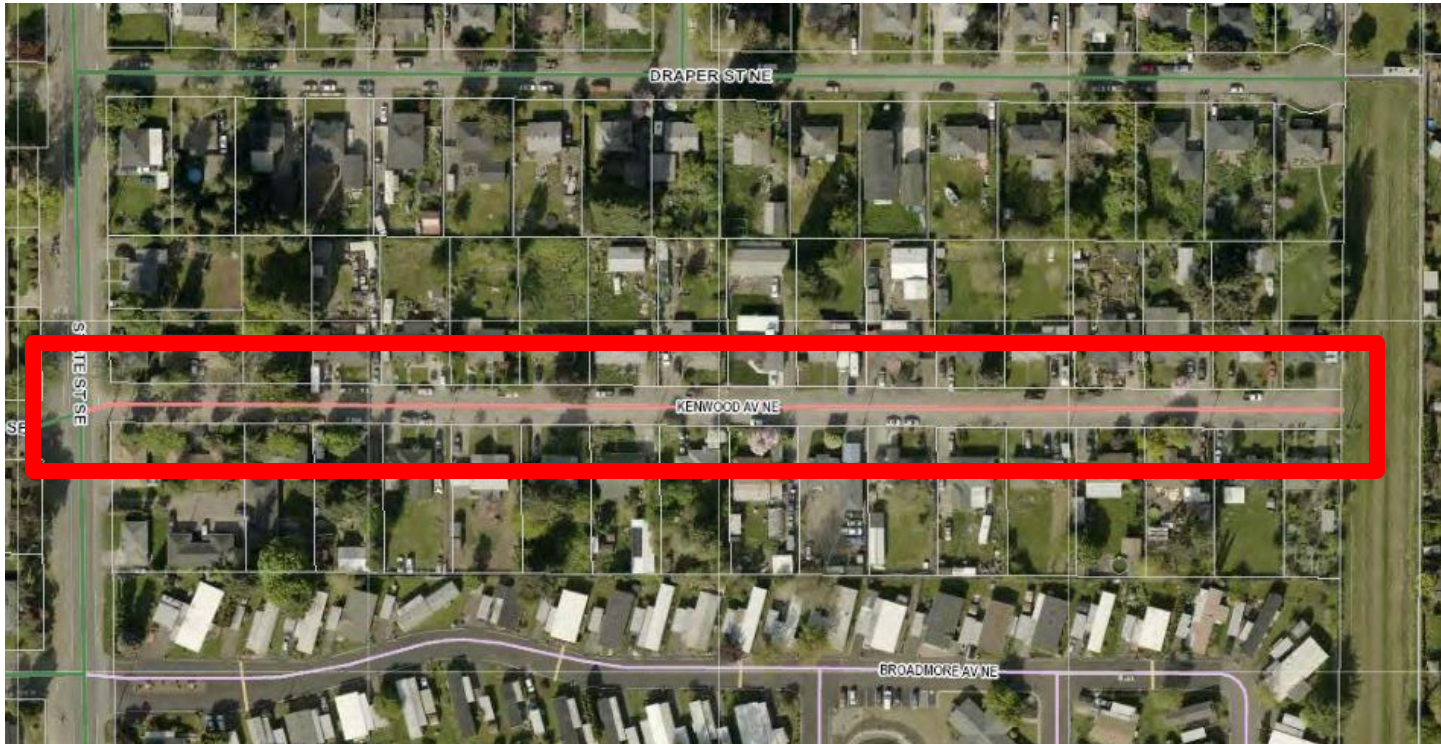
Julia Road



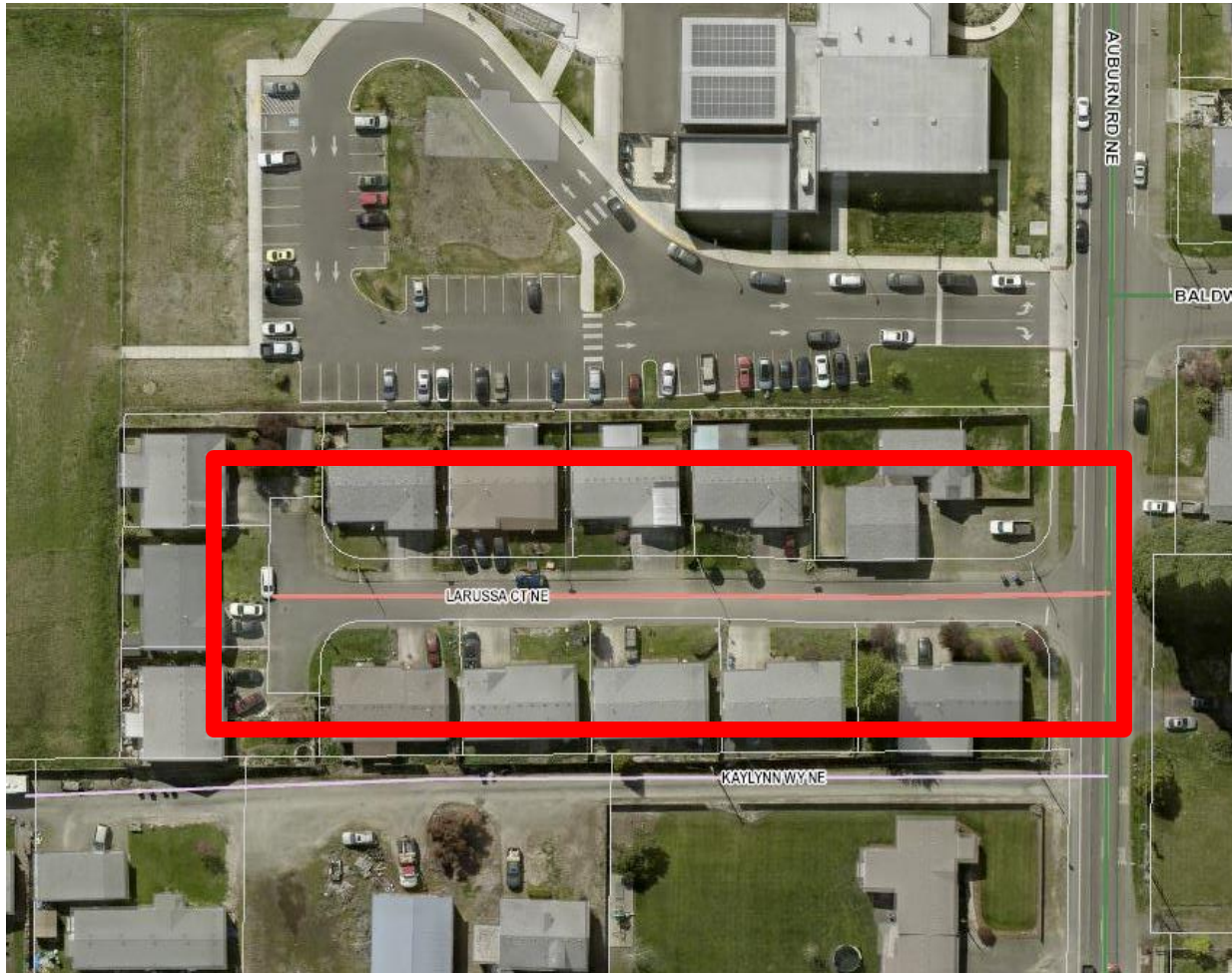
Keene Lane SE



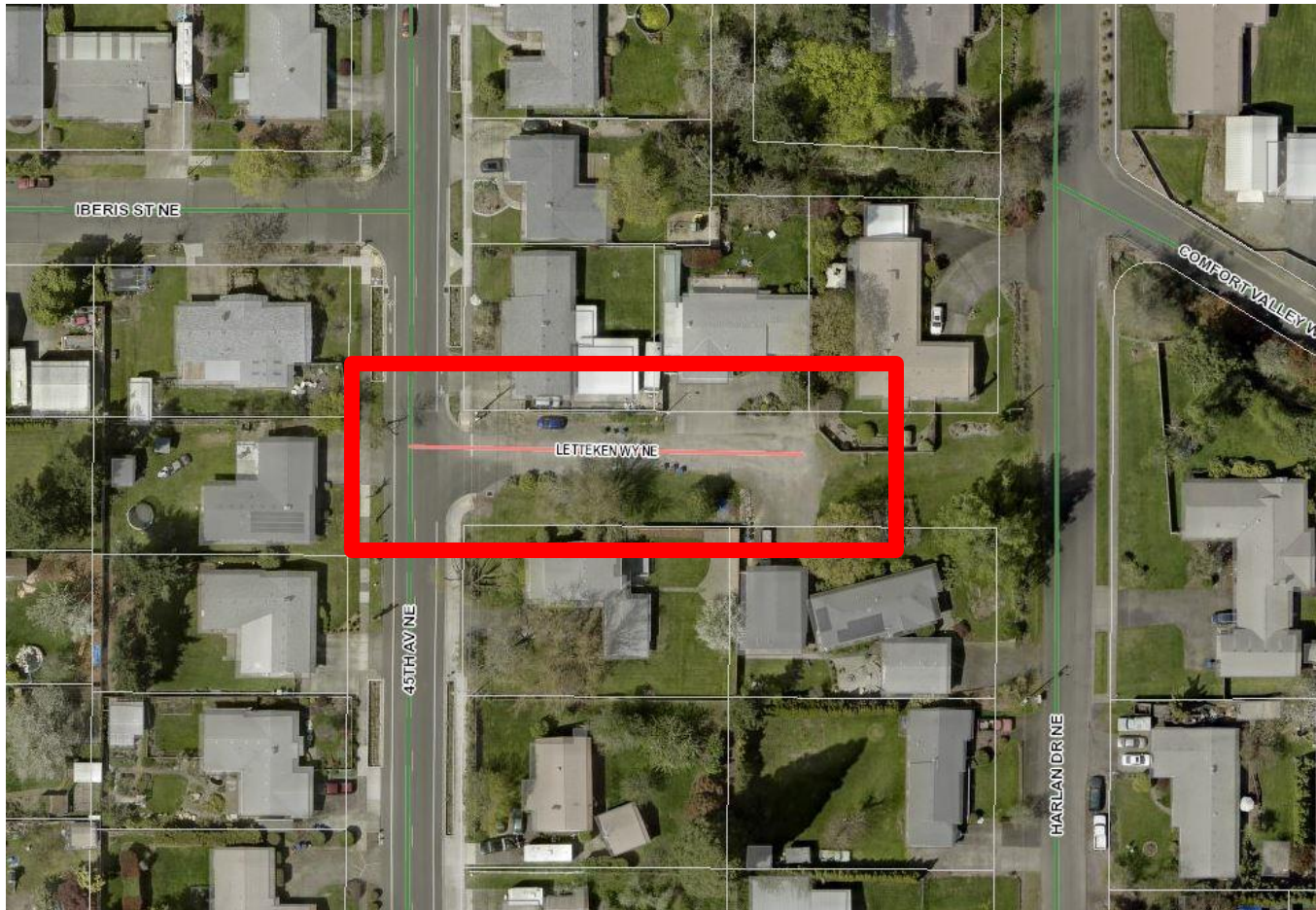
Kenwood Avenue NE



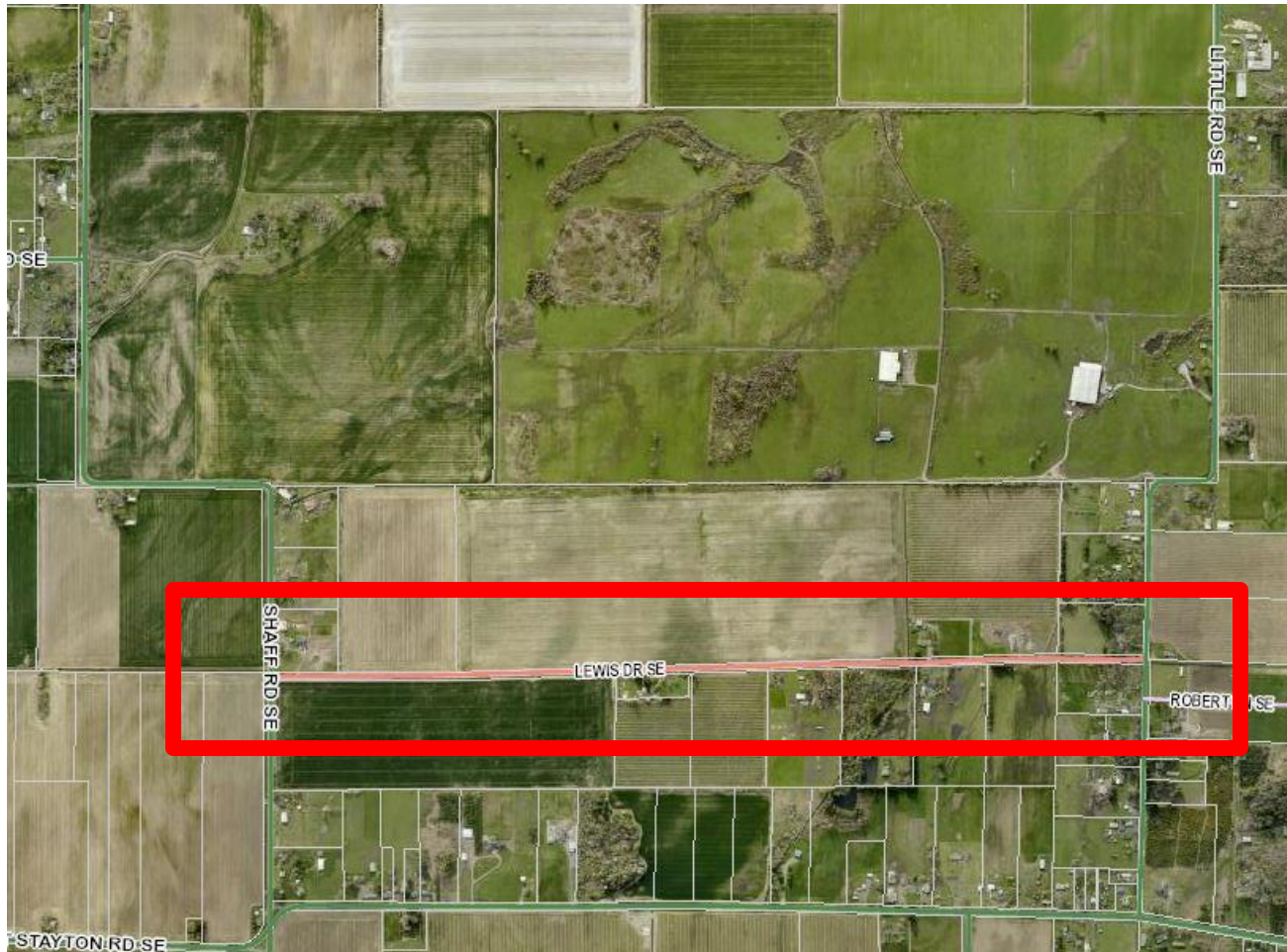
Larussa Court NE



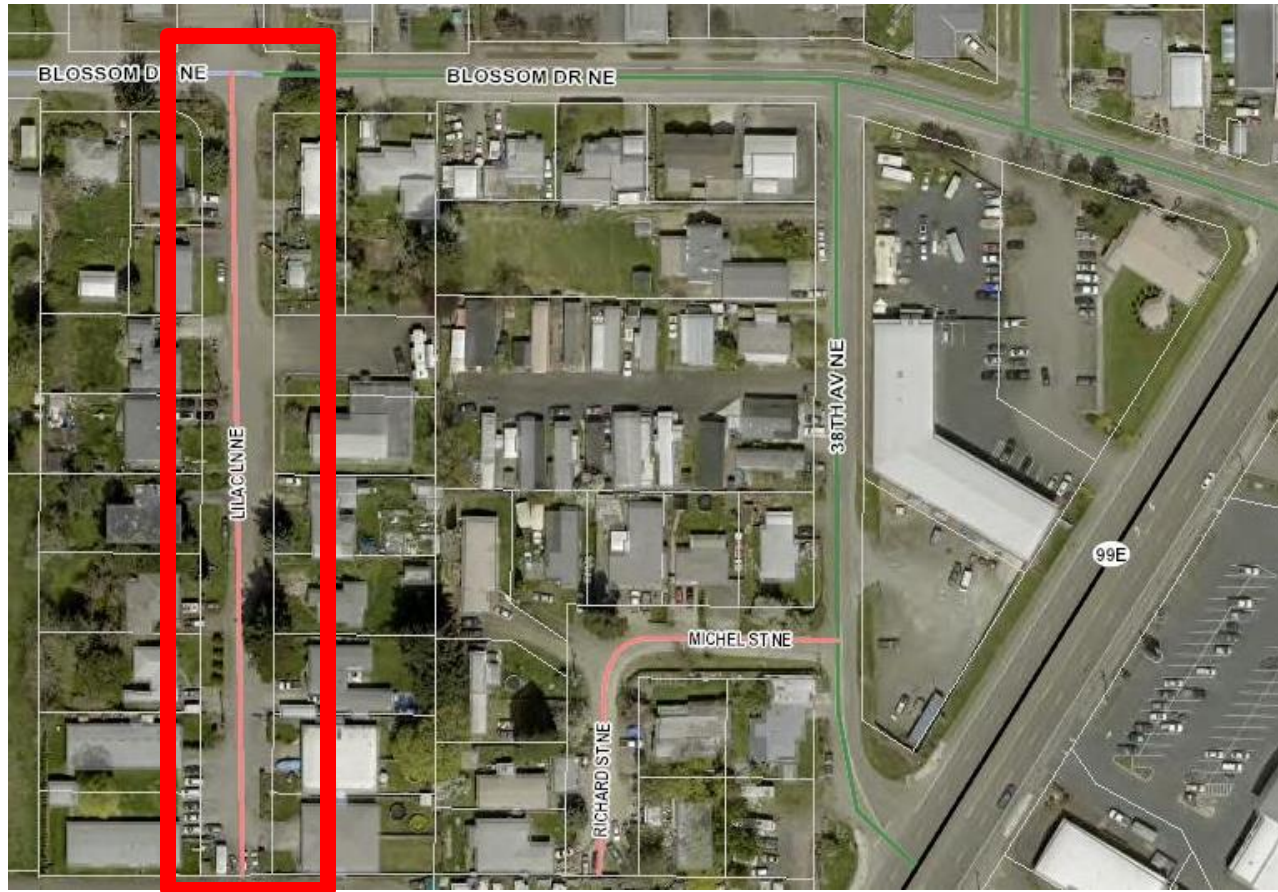
Letteken Way NE



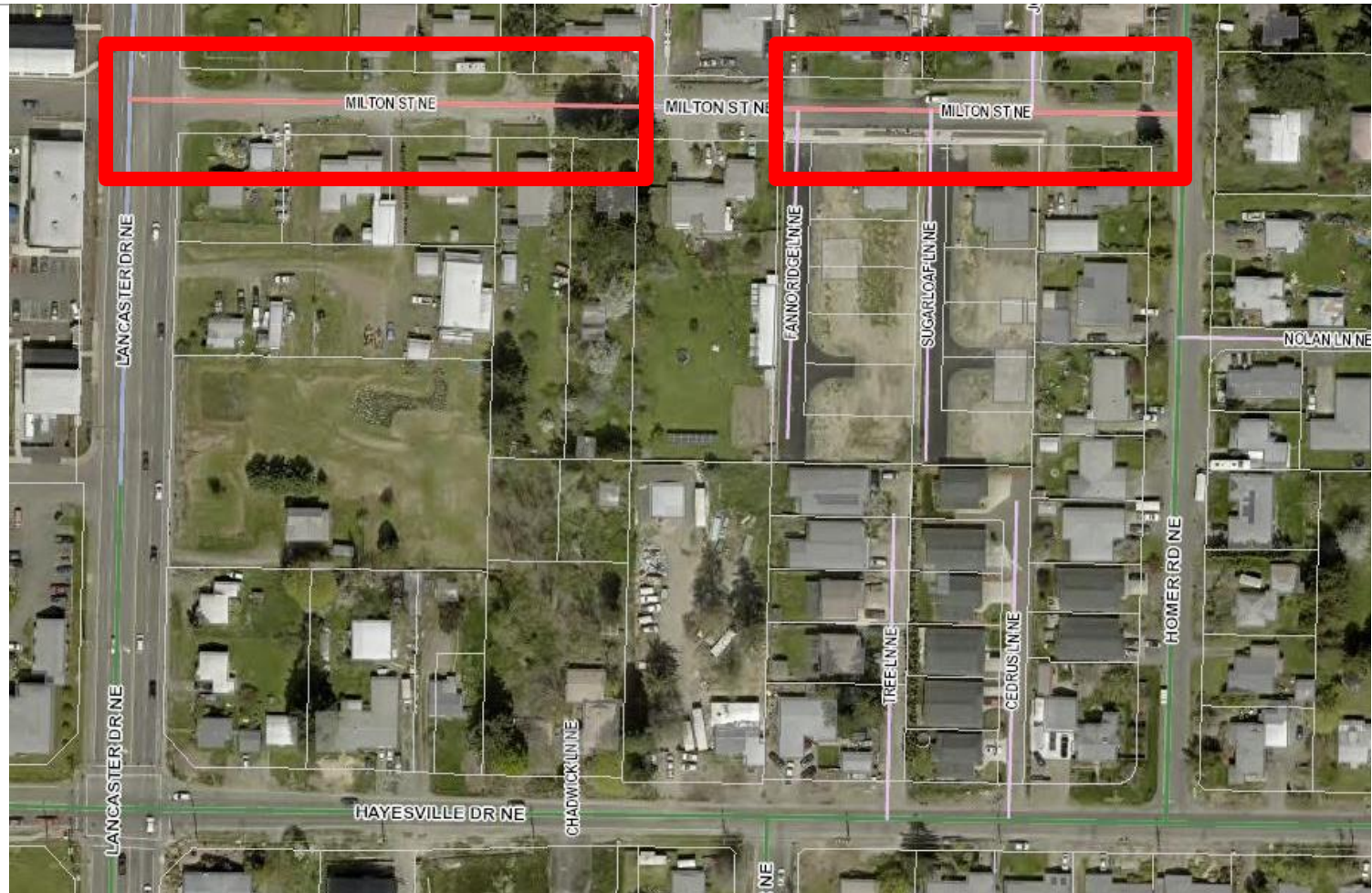
Lewis Drive SE



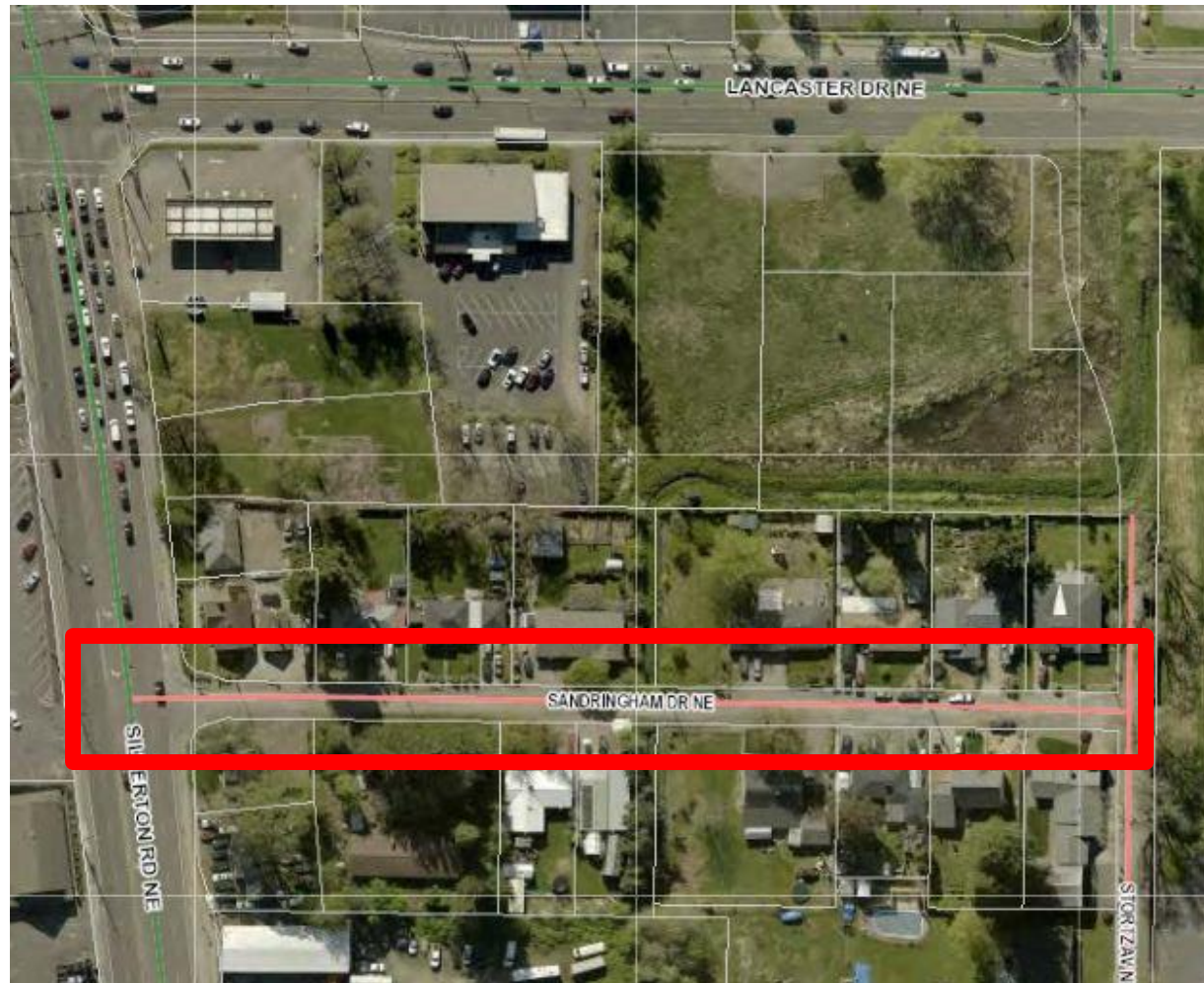
Lilac Lane NE



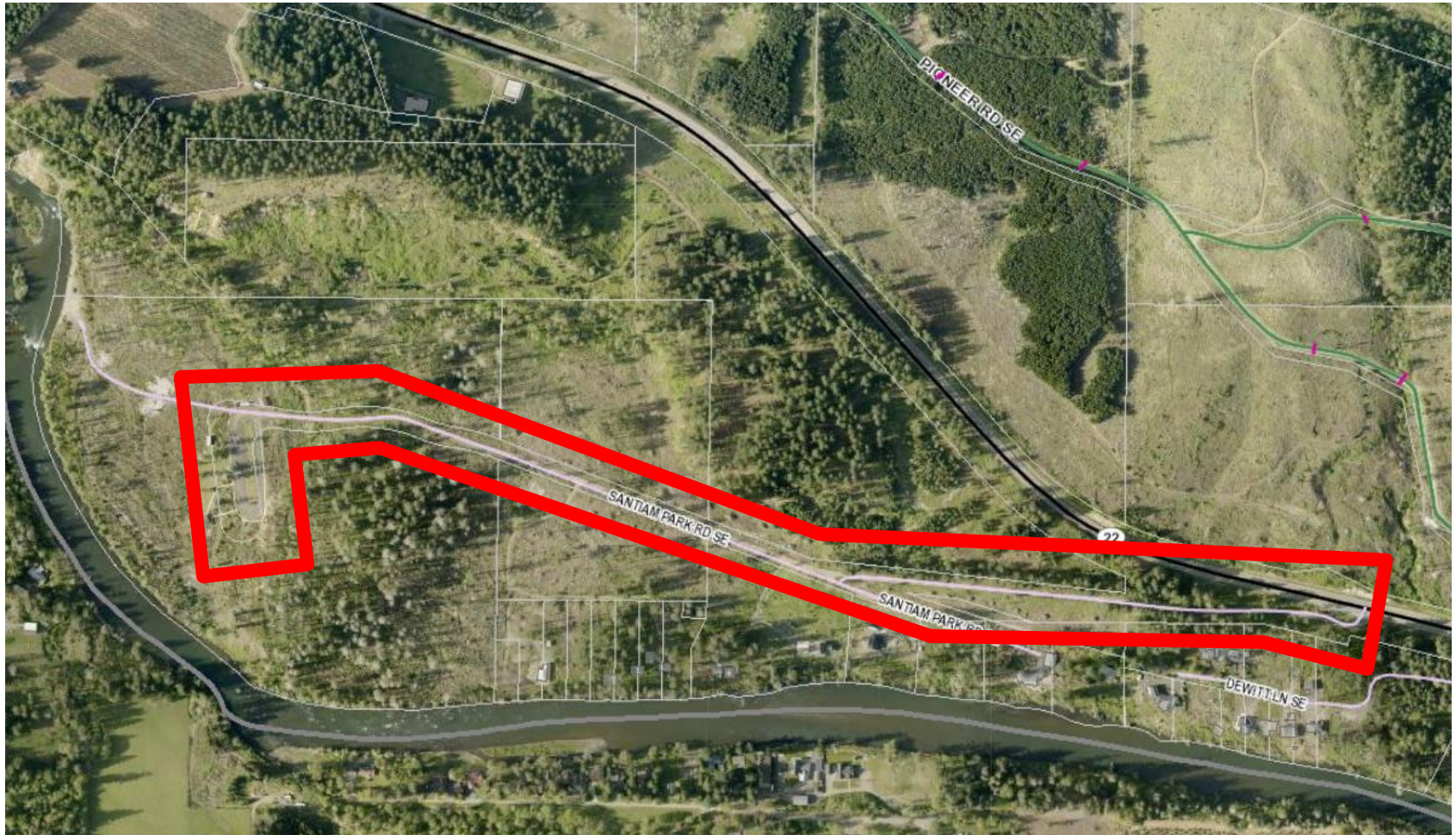
Milton Street NE



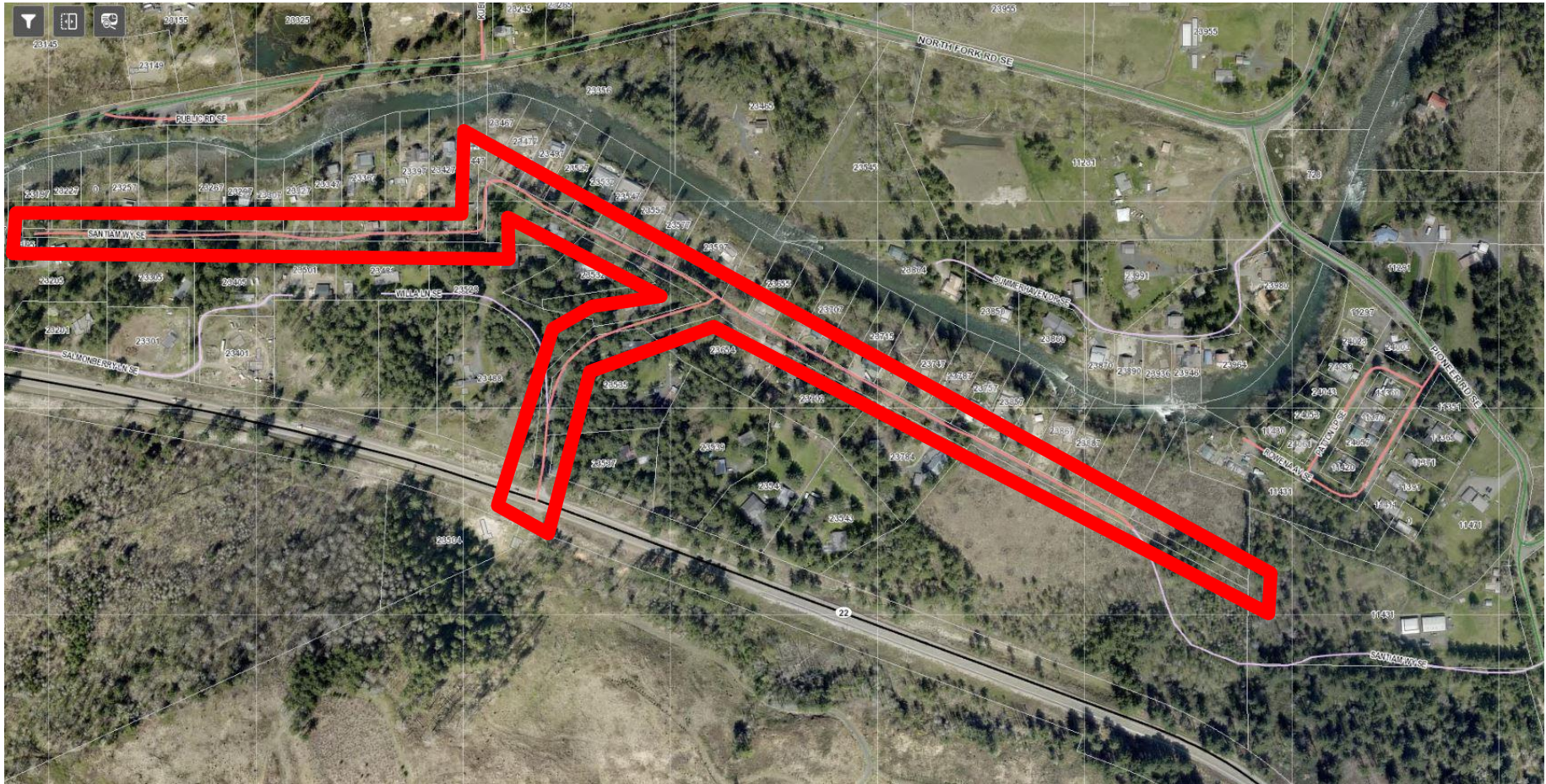
Sandringham Drive NE



Santiam Park Road



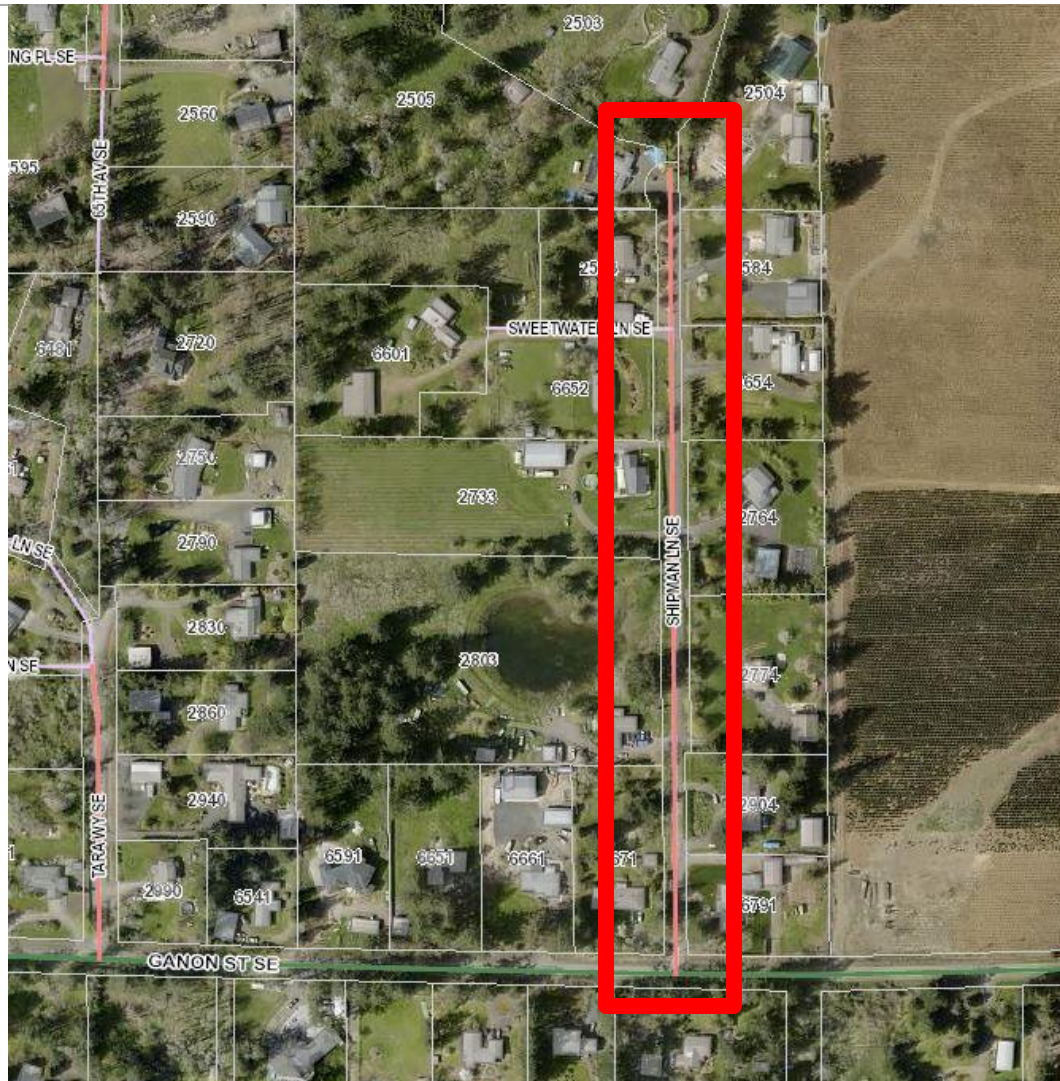
Santiam Way SE



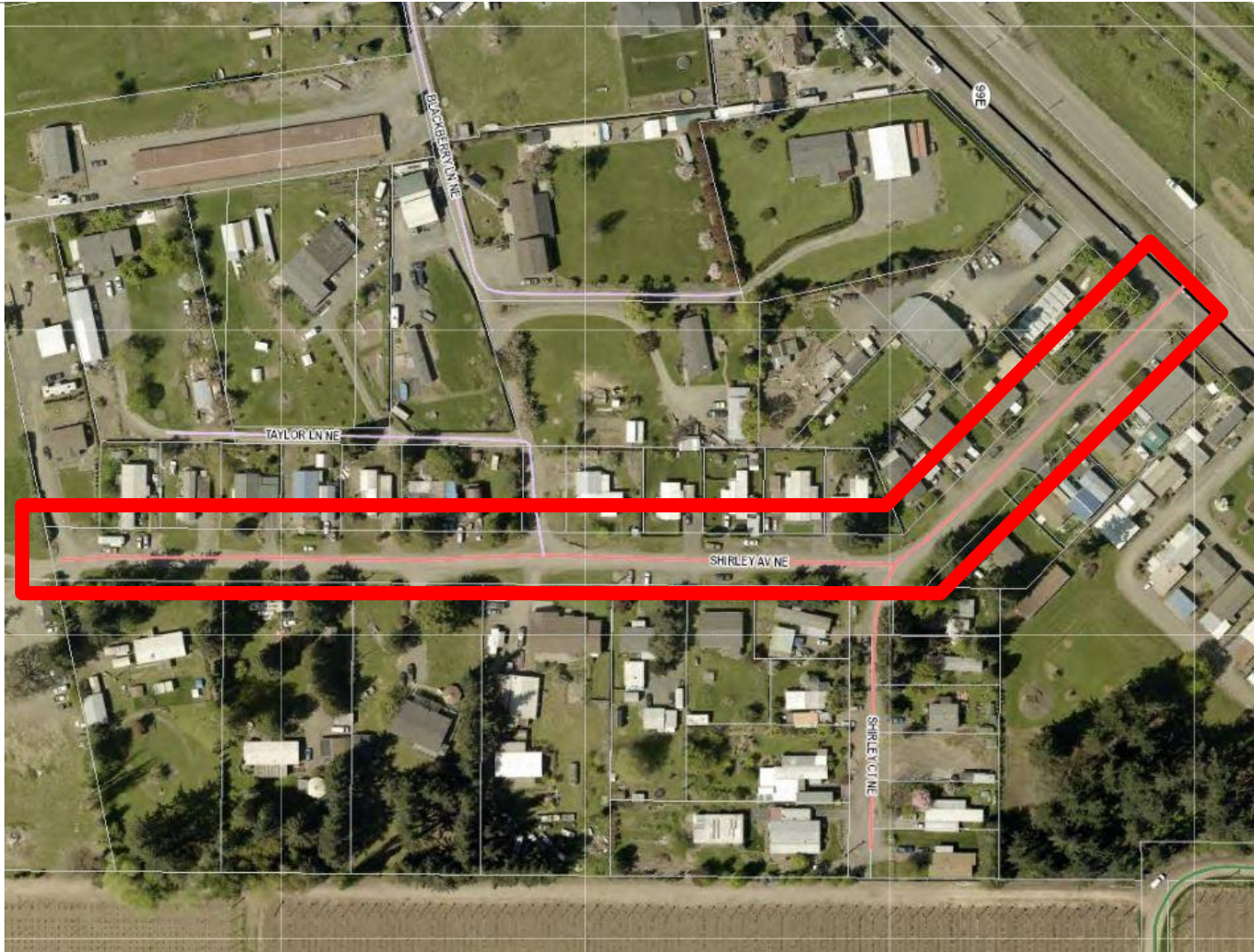
Schafer Road NE



Shipman Lane SE



Shirley Avenue NE



Shirley Court NE



Sunnybrook Lane SE

