

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, August 20, 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 00:00:41)

MOTION: Commissioner Cameron moved to add an item to the action agenda under Public Works: Consider approval of the Construction Contract with North Santiam Paving Co to provide construction services for the North Fork Road Slide Repair at Milepost 3.0 project. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous

(Video Time 00:01:11)

PUBLIC COMMENT

None.

(Video Time 00:01:13)

PRESENTATION

1. The Wall That Heals traveling replica of the Vietnam Veterans Memorial.

–Alvin Klausen; Billy Whisenant, Vietnam War Combat Veteran; and Brent DeMoe, Director, Polk County Family and Community Outreach.

Summary of presentation:

Alvin Klausen:

- Shared two personal stories:
 - Discovered relative’s name on the World War II Memorial, and the profound personal connection such memorials create; and
 - Recounted his uncle’s experience as a Vietnam veteran visiting the memorial in Washington, D.C., and the emotional impact of seeing names of fallen comrades.
- Memorials for veterans, families, and the community are very important.

Billy Whisenant, Vietnam War Combat Veteran

- Described the physical features of The Wall That Heals replica:
 - Three-quarter scale of the original Vietnam Veterans Memorial;
 - Each wing is 175 feet long;
 - 85 feet at the apex; and
 - 328 feet span between wings.
- Mobile education center will transport the panels:
 - Starts at the Oregon National Guard;
 - Go down Court Street;
 - Go through Dallas;
 - Go through Monmouth; and
 - Be set up in Independence.
- Logistics and support for the event:
 - The wall will arrive on September 16 and be erected on the morning of September 17;
 - Requires 193 volunteers for 24-hour maintenance:
 - Plus, set up and takedown crews;
 - Les Schwab area managers will handle setup; and
 - Western Oregon University baseball team will handle takedown.
- Mobile Education Center Features:
 - Includes two or three six-foot screens;
 - One screen will display “Hometown Heroes” from Polk County;
 - Another will honor Vietnam veterans affected by toxins through the “In Memory” program;

- Displays memorabilia from the Vietnam War and provides a history of the war; and
- Guided tours for students, to educate youth about the Vietnam War.
- Gives Vietnam veterans the ability to connect and heal by sharing with others who served;
- Shared a personal story about a commemorative coin:
 - Helped design a coin featuring his fallen comrade, Martin Milek;
 - Recounted the day Martin died in Vietnam and the significance of including him on the coin; and
 - Plans to present the first seven coins to Martin's family in Philadelphia.
- Highlighted the event's significance:
 - Only Oregon stop for the wall this year;
 - One of 30 locations selected out of 140 applicants;
 - Agent Orange ceremony on September 19; and
 - Community awareness and participation is healing and remembrance.

Brent DeMoe, Director, Polk County Family and Community Outreach:

- The biggest need is volunteers:
 - Need nearly 200 volunteers to make the event successful;
 - Some volunteer roles are needed around the clock (24/7); and
 - Volunteer opportunities are available for all ages:
 - Including supervised high school groups.
- Provided event logistics and public information:
 - Flyers and a dedicated website (created by the City of Independence) give information on how to volunteer, the route, and donation options;
 - The wall will be open to the public from September 18 to September 21;
 - The location is Independence Sports Park:
 - North of the town of Independence, near the new boat ramp and soccer fields.
 - It is nearly 400 feet long and requires a large space for display;
- Ceremonial escort and community involvement:
 - On September 16, the wall will be escorted from the Oregon National Guard Armory by hundreds of motorcycles, police, and emergency vehicles;

- The procession will travel through downtown Salem, across the bridge, through Dallas, Monmouth, and finally to Independence;
- Encourage commissioners and public to participate; and
- Hoped for strong community turnout along the route, with people waving flags and showing support as the procession passes.
- Majority of the organizing committee consists of local citizens:
 - Years of effort by Mr. Whisenant and other to bring the wall here;
 - Many of whom are Vietnam veterans;
 - Partnership between government and community; and
 - Primarily citizen driven.
- Personal connection and reflection:
 - His father was a Vietnam veteran, and he didn't talk about his experience;
 - Mr. Whisenant helped him understand the impact of the Vietnam War on veterans and their families; and
 - If his family had known more about his father's experiences, it might have helped them understand him better.
- Stressed the broader impact and importance of the event:
- - Pointed out that almost everyone has some connection to someone who served in the Vietnam War. - The event provides an opportunity for healing, remembrance, and education for veterans, families, and the community. - Encouraged ongoing community support and involvement, emphasizing the value of honoring veterans and learning from their experiences.
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Board discussion:

- Commissioner Cameron stated the following:
 - Thanked Mr. Whisenant for his service and for the work being done;
 - Able to witness others visit the wall and find family members listed;
 - This is a good experience and almost everyone has a connection; and
 - Did not serve in the military so he serves through government.
- Commissioner Willis stated the following:
 - Had a college professor who was a green beret in the Vietnam War;
 - He shares stories of the shameful way veterans were treated after they came home from serving their country;

- This helps remedy some of that;
- It is important for the country to show gratitude, and it is healing;
- It is an important reminder of the sacrifices that were given; and
- Thankful for the service and work being done.

(Video Time 00:20:13)

CONSENT

BOARD OF COMMISSIONERS

Board Appointments – Parks Commission

2. Approve an order to appoint Chester Wayne Rawlins to the Marion County Parks Commission with a term date ending June 30, 2029.

HEALTH AND HUMAN SERVICES

3. Approve Amendment #7 to the Contract for Procurement, Licensing, and Maintenance of an Electronic Health Records Management System with EnSoftek, Inc., to add \$3,020,087.80 for a new not-to-exceed agreement total of \$8,260,000; amend the statement of work; and extend the term date to August 31, 2030, for the Electronic Health Records (EHR) Management System.

PUBLIC WORKS

4. Approve Amendment #1 to the Construction Contract with HP Civil, Inc., to add \$229,537 for a new contract total of \$771,832.55 of which an estimated \$183,629.60 will utilize federal funding and an estimated \$45,907.40 will utilize county funding to provide modifications to the steering winch system for the Marion County Ferry Boat Program through June 30, 2026.

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

(Video Time 00:21:59)

ACTION

COMMUNITY SERVICES

5. Consider approval of the Subrecipient Agreement with Catholic Community Services, Willamette Valley to provide Community Development Block Grant

(CDBG) funding in the not-to-exceed amount of \$225,000 to assist with expenses for the Seymour Center Commercial Kitchen Renovation project retroactive to July 1, 2025, through June 30, 2028. –Steve Dickey and Josh Graves, Catholic Community Services

Summary of presentation:

Steve Dickey:

- Funds are for the purchase of commercial kitchen equipment and renovation of a facility;
- The renovated facility will provide meal services for homeless populations and vocational training for people transitioning out of homelessness;
- This project is in partnership with a previously approved grant for Church at the Park:
 - Both grants will be leveraged to maximize community benefit.
- Project aligns with the county's strategic goals for community development and support for vulnerable populations.

Josh Graves, Chief Executive Officer, Catholic Community Services:

- Mr. Graves expressed the following:
 - Centered on helping people develop skills for employment and self-sufficiency;
 - Former St. Vincent de Paul Food Bank on Portland Road, will be made into a commercial kitchen with classroom and skill-building spaces;
 - Kitchen will be training area for residents from Church at the Park:
 - Teaching them commercial kitchen skills.
 - Skills will allow residents to make meals for other Church at the Park sites;
 - Shift from a traditional food bank model to a skill center:
 - Get food, gain job skills and opportunities for advancement.

Board discussion:

- Commissioner Cameron stated the following:
 - Reason for this structuring is so equipment stays with the building:
 - Ensures investment remains with the facility and continues to benefit the community long-term.

MOTION: Commissioner Cameron moved to approve the Subrecipient Agreement with Catholic Community Services, Willamette Valley to provide Community Development Block Grant (CDBG) funding in the not-to-exceed amount of \$225,000 to assist with expenses for the Seymour Center Commercial Kitchen Renovation project retroactive to July 1, 2025, through June 30, 2028. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:26:07)

6. Consider approval of the Subrecipient Agreement with Liberty House to provide Community Development Block Grant (CDBG) funding in the not-to-exceed amount of \$113,016 to assist with lease expenses and support staff to expand services for families in northern Marion County retroactive to July 1, 2025, through June 30, 2028. –Steve Dickey; Alison Kelley and Peter Carrillo, Liberty House

Summary of presentation:

Steve Dickey:

- Project provides operational support during the startup phase of Liberty House's new location in Woodburn, serving North Marion County;
- Significant population growth in the area needs these specialized services; and
- A one-time fund for lease expenses and staff support during start-up period.

Alison Kelly, Chief Executive Officer, Liberty House:

- Has worked for Liberty House for the last 12 years;
- Thanked the Board for its leadership and strategic investments:
 - Especially in remote areas of Marion County;
- Liberty House's mission:
 - Excellence in assessment, treatment, and prevention of abuse, neglect, trauma, and grief for children, youth, families, and communities.
- Trauma specialists giving pediatric and mental health services for children, birth through age 18:
 - Trauma such as physical abuse, sexual abuse, trafficking, and harm.

- Coordinators of Marion County Multidisciplinary Child Abuse Intervention team:
 - Named in state statute.
- High prevalence and serious consequences of abuse:
 - Early intervention for healing and positive outcomes is important.
- Expansion to Woodburn:
 - Requests from Woodburn officials and North Marion County leaders;
 - Signed a six-year lease for medical office space in Woodburn;
 - Serve those that live in the surrounding areas as well;
 - Already served over 100 patients at the new clinic;
 - Law enforcement chiefs expressed gratitude for the closer services;
 - Committed to supporting operations in the area:
 - Weekly multidisciplinary team meetings in Woodburn.
 - Received small grant from Woodburn for each of the next five years;
 - Revenue comes from:
 - Private donations;
 - Public grants; and
 - Billable receipts;
 - Grant will support operations during the start-up and aid in local fundraising and outreach;
 - Will work to develop an annual spring gathering;
 - Liberty House is streamlining administrative expenses to prioritize community-facing services.

Board discussion:

- Commissioner Cameron stated the following:
 - This is good work and appreciate the expansion outside of the Salem/Keizer area.

Motion: Commissioner Cameron moved to approve the Subrecipient Agreement with Liberty House to provide Community Development Block Grant (CDBG) funding in the not-to-exceed amount of \$113,016 to assist with lease expenses and support staff to expand services for families in northern Marion County retroactive to July 1, 2025, through June 30, 2028. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:31:57)

7. Consider approval of the Subrecipient Agreement with Marion-Polk Food Share to provide Community Development Block Grant (CDBG) funding in the not-to-exceed amount of \$300,000 to assist with the purchase of a new facility for a food bank expansion retroactive to July 1, 2025, through June 30, 2028.

–Steve Dickey; Rick Gaupo and Ian Dixon-MacDonald, Marion-Polk Food Share

Summary of presentation:

Steve Dickey:

- This was approved in the 2025 annual action plan;
- CDBG funds will assist with cost of purchasing a larger facility:
 - Meet the expanding demand for food bank services in the community.
- The project has other support in place.

Rick Gaupo, President and Chief Executive Officer, Marion-Polk Food Share

- Excited and grateful for the opportunity and support from the board;
- There has been more than \$6 million already committed:
 - From all levels of government and private donations.
- Highlighted the significance of the new facility:
 - Expansion allows organization to better serve the community:
 - Both Marion and Polk Counties.
 - Facility will bring food box distribution and Meals on Wheels programs under one roof; and
 - Will create a space for volunteers to serve the community.

Board discussion:

- Commissioner Cameron stated the following:
 - Marion County did not have these funds 10 years ago;
 - They are used in the community to make a big difference; and
 - Thankful to the team and all the work that they do.

MOTION: Commissioner Cameron moved to approve the Subrecipient Agreement with Marion-Polk Food Share to provide Community Development Block Grant (CDBG) funding in the not-to-exceed amount of \$300,000 to assist with the purchase of a new

facility for a food bank expansion retroactive to July 1, 2025, through June 30, 2028. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:35:56)

HEALTH AND HUMAN SERVICES

8. Consider approval of Amendment #15 which reinstates an incoming funds Intergovernmental Agreement (IGA) with the Oregon Health Authority (OHA); adds \$6,807,888.60 for a new IGA total of \$31,454,558.99; and extends the term date to December 31, 2025, for the financing of community mental health services, addiction treatment, recovery and prevention programs, and problem gambling services. –Ryan Matthews

Summary of presentation:

- Amendment extends previous agreement with OHA for six months:
 - Original agreement ended on June 30, 2025.
- Negotiations for a new biennium contract with OHA were not finalized:
 - Extension ensures no disruption in services.
- Funding \$6.8 million is six months' worth of funding:
 - Was anticipated and budgeted for.
- Agreement funds non-Medicaid services:
 - Part of the county's role as Community Mental Health Program.
- Services funded by the agreement are as follows:
 - Outpatient mental health services;
 - Outpatient addiction treatment;
 - Behavioral health crisis services:
 - Including 24/7 Crisis Response Teams.
 - Services for older adults;
 - PSRB (Psychiatric Security Review Board);
 - Supported **employment?**; and
 - Other foundational community mental health services.
- New contract is expected to cover the remaining 18 months; and
- Trying to maintain current services and flexibility to meet community needs, rather than having priorities dictated at the state level.

Board discussion:

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- Commissioner Willis:
 - Thanked Mr. Matthews for the work;
 - Has been a long process as OHA is trying to change terms of a long standing contract; and
 - This is detrimental to the community; and
 - The team is showing OHA what problems this will cause the community.

MOTION: Commissioner Cameron moved to approve Amendment #15 which reinstates an incoming funds Intergovernmental Agreement (IGA) with the Oregon Health Authority (OHA); adds \$6,807,888.60 for a new IGA total of \$31,454,558.99; and extends the term date to December 31, 2025, for the financing of community mental health services, addiction treatment, recovery and prevention programs, and problem gambling services. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:40:10)

PUBLIC WORKS

9. Consider approval of Amendment #9 to the Standard Professional Services Contract with Keller Associates, Inc. to add American Rescue Plan Act (ARPA) funding in the amount of \$3,955,145 for a new not-to-exceed contract total of \$14,103,357 for additional construction phase services and an adjustment to the scope of services for the North Santiam Canyon Sewer Project through December 31, 2026. –Brian Nicholas

Summary of presentation:

- North Santiam Canyon Sewer Project:
 - The project is highly visible to those on Highway 22 near Mill City;
 - Constructing a wastewater treatment plant on behalf of Mill City;
 - Capacity to serve both Mill City and the Gates;
 - Construction has begun:
 - Groundbreaking occurred about four weeks prior.
 - Visible progress including structural concrete out of the ground.
- Amendment Purpose:
 - Construction services to the contract with Keller Associates, Inc:

- Engineer of Record.
- Provide project phase services;
- Project manager and inspection team to oversee construction:
 - Both specialty and regular inspections
- Due to volume of projects county's capacity for oversight is limited;
- Manages RFIs (Requests for Information) and contract oversight to keep things on schedule; and
- Will cover services through project commissioning.

Board discussion:

- Commissioner Cameron stated the following:
 - A community member noticed the activity and asked about it; and
 - The project is visible.

MOTION: Commissioner Cameron moved to approve Amendment #9 to the Standard Professional Services Contract with Keller Associates, Inc. to add American Rescue Plan Act (ARPA) funding in the amount of \$3,955,145 for a new not-to-exceed contract total of \$14,103,357 for additional construction phase services and an adjustment to the scope of services for the North Santiam Canyon Sewer Project through December 31, 2026. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:44:13)

Consider approval of the Construction Contract with North Santiam Paving Co. in the amount of \$664,310 to provide construction services for the North Fork Road Slide Repair at Milepost 3.0 project through October 15, 2026. –Ryan Crowther

Summary of presentation:

- The project is for a small landslide at Milepost 3.0 on North Fork Road:
 - Not the larger landslide with the gravel section.
- Across the river from Taylor Park Road:
 - About three miles up North Fork Road.
- Temporary measures taken to stabilize the area:
 - Larger and more permanent repair is needed.
- Project Scope:

- Construct a stone buttress;
- Roadway will be reduced to one lane;
- Set up temporary signals:
 - They will be used 24/7; and
 - This reduces the need for flaggers.
- A lot of rock will stabilize the slope.
- Project Budget and Schedule:
 - Low bid from North Santiam Paving Co. at \$664,310; and
 - Completed the project by October.

Board discussion:

- None.

MOTION: Commissioner Cameron moved to approve the Construction Contract with North Santiam Paving Co. in the amount of \$664,310 to provide construction services for the North Fork Road Slide Repair at Milepost 3.0 project through October 15, 2026. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:46:59)

PUBLIC HEARINGS
Starting no earlier than 9:30 a.m.

Commissioner Willis opened the public hearing and read the public hearing opening statement into the record.

PUBLIC WORKS

A. Public hearing to consider Comprehensive Plan Amendment/Zone Change/Partition (CP/ZC/P) Case #19-005/Lois Pfennig, Trustee of the Henry O. and Lois M. Pfennig Trust. –Austin Barnes

Summary of presentation:

Austin Barnes

- Additional submission came in yesterday from a neighbor that is in opposition;

- Application is as follows:
 - Change Comprehensive Plan from Special Agriculture (SA) to Acreage Residential (AR-10):
 - A 10-acre minimum lot size.
 - Exception request to Statewide Land Use Goal 3 (agricultural lands) on a 20.46-acre parcel;
 - Partition into two lots (10 acres and 10.486 acres); and
 - At the 2400 block of 62nd Avenue SE, Salem.
- Relevant Criteria:
 - Marion County Code:
 - Chapter 17.123 – Zone Change Procedures;
 - Chapter 17.128 – Acreage Residential Zone (AR); and
 - Chapter 17.172 – Subdivision and Partition Requirements.
 - Marion County Comprehensive Plan:
 - Rural Residential Policies; and
 - Rural Service Policies.
 - Statewide Planning Goals:
 - Goal 3 – Agricultural Lands; and
 - Goal 14 – Urbanization.
 - Oregon Administrative Rules (OAR):
 - OAR 660, Division 4 – Goal Exception Process.
- Described the property:
 - Undeveloped but farmed and assessed as agricultural land;
 - Soils are high value for agriculture (class II and III silt loams);
 - Surrounding properties:
 - Mix of agricultural and rural residential uses.
 - No streams, wildlife habitat, geological hazards, or flood zones.
- Proposal's history:
 - Original proposal included a Goal 14 exception:
 - Urbanization for 2-acre lots.
 - Remand by Land Use Board of Appeals (LUBA):
 - Applicant revised to two 10-acre lots; and
 - Removed need for Goal 14 exception.
- Additional findings:
 - Testimony from Larry Pfennig:

- Farmed the property and other properties in Marion County for 50 years.
- Testimony from Wallace Lien:
 - Applicant's representative; and
 - Has experience in Oregon land use and farming.
- A Revised Study Area Analysis:
 - Narrowed study area to focus on adjacent parcels;
 - Examined properties adjacent to subject parcel; and
- Immediate surroundings are "irrevocably committed" to non-resource (non-farm) use.
- Remand from LUBA was complicated:
 - Essentially requiring a new application and analysis; and
 - Hearing's Officer looked through the narrow scope given by LUBA.
- Hearings officer's recommends approval, with planning staff in agreement.
- The two conditions (F and M) related to stormwater detention should be removed due to the larger lot sizes.

Testimony:

Support:

Wallace Lien:

- Mr. Lien is an attorney representing the applicant; and
- Mr. Lien expressed the following:
 - Has been helping the applicant with the case for the last six years;
 - It has been complex and lengthy:
 - Multiple hearings and a remand from LUBA.
 - Original proposal sought to divide property into two-acre parcels:
 - Required a Goal 14 (urbanization) exception.
 - After remand applicant revised proposal to create two 10-acre parcels:
 - Eliminating need for Goal 14 exception; and
 - Ensuring the lots remain rural, not urban.
 - Challenge defining appropriate "study area" for the land use analysis:
 - Broad study area was used:
 - Analyzed four or five assessor maps and hundreds of parcels.
 - LUBA said it's too broad and said focus on adjacent parcels:

- Required by law for Goal 3 exception.
- Outlined the findings from the focused study area:
 - Only 13 parcels are directly adjacent to the subject property;
 - Of these, 11 have houses, with an average size of 2.3 acres;
 - Only one adjacent parcel is in farm use deferral;
 - Most are already developed for residential use, not farming;
 - Hearings officer said 10-acre parcels would be two to three times larger than most neighboring parcels, providing a buffer similar to the original 20-acre parcel.
- “Irrevocably committed” exception:
 - Change would not increase intensity of use on adjacent parcels:
 - Most are residential and cannot be further divided; and
 - Only one adjacent parcel (4.17 acres) could potentially be divided, but it is not configured for further division.
- Support hearings officer’s recommendation for approval;
- Agree with staff’s conditions:
 - A 100-foot setback instead of 300 feet due to the dimensions.

Austin Barnes:

- Neighbor at 5975 Culver Drive SE is not an abutting property owner:
 - Is one property away from the subject parcel.

Larry Pfennig:

- Mr. Pfennig expressed the following:
 - Representing Pfennig family trust:
 - Established by his father and mother.
 - Initial plans for the property date back to 2006–2007, when his father was still alive;
 - His mother is still living and is trying to see the family’s plans through to completion;
 - Process has been lengthy and challenging;
 - Hearings officer visited the property and surrounding area:
 - Agreed with assessment that area is no longer primarily farmland as it was 50 years ago.
 - Stated the family’s hope that the application would be approved so they could move forward with their plans for the property.

Board discussion:

- Standard setback for properties adjacent to farm use is 300 feet;
- Property is about 500 feet wide and a 300-foot setback on each side leaves little to no buildable area;
- Only one side of the property is adjacent to land in farm use:
 - Only one 300-foot setback would apply; and
 - Still significantly limits the building envelope.
- Property has a right-of-way running through it, further restricting buildable space;
- Lack of active farm use on most adjacent properties, a 300-foot setback is unnecessary;
- Supported the 100-foot setback as a reasonable compromise, providing a buffer while allowing for practical development;
- Neighboring properties developed before current land use regulations and typically have much smaller setbacks:
 - 20 feet or even 5 feet on the sides.
- The proposed 100-foot setback is much larger than what most neighboring properties have.

MOTION: Commissioner Cameron moved to close the public hearing and approve Comprehensive Plan Amendment/Zone Change/Partition (CP/ZC/P) Case #19-005/Lois Pfennig, Trustee of the Henry O. and Lois M. Pfennig Trust with the conditions recommended by the hearings officer, with the exception of recommendations F and M. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

Commissioner Bethell adjourned the meeting at 10:09 a.m.

CHAIR

COMMISSIONER

Board Sessions can be viewed on-line at

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