



# Management Update summary Minutes

OREGON

**April 11, 2023. 9:30 AM**

Courthouse Square, 555 Court St. NE, Salem  
5th Floor, Suite 5232, Commissioners Board Room

## ATTENDANCE:

Commissioners: Colm Willis, Danielle Bethell and Kevin Cameron Staff: Jan Fritz, Chad Ball, Matt Lawyer, Brian May, Alvin Klausen, Jessica Stanton, Jon Heynen, Shawnnell Fuentes, Brian Nicolas, Kelli Weese, Gary White, Chris Einmo, Dennis Mansfield, Brandon Reich, Lindsey King, Carl Lund, Terry Stoner, Chris Eppley, Jane Vetto, Matt Knudsen, Geoffrey Bonney, and Katrina Griffith.

Jan Fritz called the meeting to order at 9:35 a.m.

## INFORMATIONAL:

### **Legislative Update:**

-Alvin Klausen

### **Summary of presentation:**

- American Rescue Plan Act (ARPA) extension letter of support;
  - Marion County is drafting a resolution to go to the July NACo Conference for consideration;
- Letter of support from Oregon Watershed Enhancement Board (OWEB);
  - Push 2021 budget to 2023
  - Marion County will sign onto the letter from OWEB
- HB 2405 – Requires that court dismissing charges involving orders of commitment due to defendant lacking fitness to proceed also order transport of defendant back to jurisdiction in which charges were initiated;
  - Senate hearing – April 13<sup>th</sup>;
  - Representative Diehl would like a representative of the BOC to testify;
  - Undersheriff Wood is testifying;
- SB 907 – Prohibits employer from retaliating or discrimination against employee or prospective employee who, in good faith and with no reasonable alternative, refuses exposures arising from hazardous condition at place of employment;
  - Going to vote today;
- SB 1012 – Authorizes county to allow homestead rebuilt by same owner on same lot to replace homestead destroyed by September 2020 wildfires to have specially assessed value equal to destroyed homestead's real market value for 2020-2021 property tax year, to extent of square footage of destroyed homestead;
  - Going to vote today;
- HB 3260 – Authorizes self-service dispensing of Class 1 flammable liquids at retail establishment if the dispensary is in a city in Marion County located in a geographically defined area and city was impacted by 2020 wildfires;
  - Going to vote today;

- SB 488-6 – Requires municipal solid waste incinerator that accepts more than specified amounts of hospital, medical or infectious waste in calendar year to meet federal emissions limits for hospital, medical or infectious water incinerator;
  - Amendment was adopted but no floor vote scheduled;
- HB 3571 – Establishes immunity from prosecution for theft in first degree and civil liability for nonprofit animal rescue entity that takes possession of, keeps, and disposes of cat or dog as provided in Act and;
  - Bill died, recommended for session next year.

**Board Direction:**

- Send ARPA letter to Senator Merkley’s office and request they write their own letter;
- The BOC to sign OWEB letter;
- HB 2405 – Commissioner Cameron to attend;
- SB 1012 and HB 3260 – e-mail Canyon citizen list asking for testimony and;
- See if the Oregon Humane Society can sign the agreement now?

**Idanha-Detroit Rural Fire Protection District (IDRFPD) – Idanha Fire Department Septic Costs**

-Brian Nicholas, Chris Einmo

**Summary of presentation:**

- 55 commercial properties identified;
- IDRFPD in early scoping stages;
- Met with Business Oregon, stated project not out of scope;
- 3 options;
  - Adjust to include IDRFPD;
  - Leave as is and;
  - County to more directly engage with the city to get additional details to see if it should be integrated to transitional septic network.

**Board Direction:**

- BOC supports writing the criteria to allow the IDRFPD to participate in the septic program;
- BOC would need additional details before considering fund for IDRFPD rebuild;

**Sno-Cat Snow Transportation Vehicle**

-Dennis Mansfield

**Summary of presentation:**

- Will be at Board Session on 4/19 for approval of Sno-Cat purchase;
- Two high elevation radio communication sites, visited year-round;
  - Hall Ridge;
  - House Mountain – maintain the entire site year-round providing routine maintenance.
- Current Sno-Cat, 40 years old and out of service;
  - Over \$100,000 in required repairs
- New Sno-Cat - \$220,000;
- Recently had on-site equipment failure. Used Linn County’s equipment to access site;
  - Not an ideal situation;
- Used Marion County’s bid process in February – one bidder and;
  - Met requirements and needs.

**Board Direction:**

- The BOC gave consent.

**Public Comments of Floodplain Environmental Impact Statement (EIS)**

-Lindsey King, Bandon Reich

**Summary of presentation:**

- Federal Emergency Management Agency (FEMA) published notice of intent for Floodplain EIS;
- FEMA soliciting public comments for concerns, issues, and reasonable alternatives;
- Marion County's local floodplain code and development could be impacted;
- Deadline for comments is May 5<sup>th</sup>;
- If not adopted;
  - Lose National Insurance Flood Program;
  - Lose federally backed loans;
  - Lose federal disaster aid;
- If adopted;
  - No net loss of floodplain function;
  - Homes in floodplains can't be replaced per new regulations;
- Group of jurisdictions and professionals banded together in opposition and;
  - Drafting letter.

**Board Direction:**

- Let the community know what this means exactly for them;
- Get letter being drafted to the BOC;
- The BOC agrees to make public comment after receiving more information;
- Lindsey King to send information and a map of affected areas to the BOC and;
- Lindsey King and Alvin Klausen to work on drafting a letter.
- Coordinate and communicate concerns with AOC and LOC to potentially collaborate

**New Climate-Friendly and Equitable Communities (CFEC) Temporary Rules from Department of Land Conservation & Development (DLCD)**

-Brandon Reich

**Summary of presentation:**

- HB 2659 – Requires Land Conservation and Development Commission to update rules in response to Governor's executive order on climate to address specific issues;
  - Work session – testimony from legislator only
  - Referred bill to rules committee.
- Bill is to reset the climate friendly rules that DLCD adopted;
- DLCD is adopting temporary rule amendments;
  - Waiting on outcome of amendments before getting involved;
- Rule amendments do not address Marion County's concerns;
- Drafted letter to DLCD about amendments;
  - Similar HB 2659 letter;
- Proposed Changes;
  - Additional time to request deadline extensions;
  - Modifying some code standards and;
  - Modifying parking standards.

**Board Direction:**

- In drafted letter add safety concerns because of overcrowding;
- The BOC agrees to send two letters, Brandon's and from the BOC and;

- Brandon Reich to send his letter to Alvin Klausen to use as an attachment.

## **Marion Water Quality Advisory Committee (MWQAC) Appointments**

### **Consideration**

- Brenda Sanchez, At Large Representative
- Rick Massey, Land Development Representative

-Matt Knudsen

### **Summary of presentation:**

- Rickey Massey – serving since 2010;
  - Insights of the development community;
  - Homebuilders' Association;
  - Few committees;
- Brenda Sanchez – serving since 2019
  - Water quality industry;
  - Oregon Department of Agriculture;
  - Soil and Water Conservation District and;
  - Various watershed counsels.

### **Board Direction:**

- The BOC is good to proceed.

## **Emergent Economic Opportunity Program (EEOP), Silverton All Ability Park Application**

-Kelli Weese

### **Summary of presentation:**

- Fund first applicant of EEOP;
- Program formed to utilize economic development lottery funds;
- Application from the Silverton Rotary Foundation for the multi-sensory park;
  - Total cost: \$395,000;
  - Requesting \$25,000 EEOP funding;
  - \$5,000 more needed;
    - Most likely to be funded from brick sales;
- Requirements;
  - Aids local non-profits;
  - Helps develop Silverton and;
  - Funding from multiple sources.

### **Board Direction:**

- The BOC is good to proceed.

## **Public Improvement Agreement with Lindstrom Construction, LLC for the Marion County Transition Center Shower Restoration**

-Tamra Goettsch, Terry Stoner

### **Summary of presentation:**

- Went out to bid and got the contractor – Lindstrom Construction;
- Coming to Board Session next week for approval of contractor;
- Contract total: \$408,626.80, previous total: \$117,000 and;
  - After investigation mold is spread out worse than originally thought.

### **Board Direction:**

- The BOC is good to proceed to Board Session.

## **Jefferson School District Project**

-Danielle Bethell

### **Summary of presentation:**

- Dr. Noor - \$400,000 need;
  - School district has a vacant building would like to open a health center;
- Local donor gave \$100,000;
- Peter Davidson (Chief Financial Officer, PacificSource);
  - Agrees with concept;
  - Would like to meet with Marion County;
- Samaritan Health would be provider;
- Marion County does not do School-Based Health Centers;
- Health Center to provide;
  - Behavioral health;
  - Mental health;
  - Immunizations;
  - Meals;
  - Senior care;
- Ryan Matthews, Katrina Griffith, Peter Davidson, Dr.Noor, Jefferson School District to meet and discuss potential health center and;
- Peter Davidson would like to meet with the BOC.

### **Board Direction:**

- The BOC is good to have the discussion take place.

## **Wildfire Housing Funding Guidelines**

-Danielle Bethell

### **Summary of presentation:**

- Guidelines written for a sustainable program if disaster managers leave.

### **Board Direction:**

- N/A

## COMMUNICATIONS UPDATE

Jon Heynen

### **Summary of presentation:**

- N/A

### **Board Direction:**

- N/A

## COMMISSIONERS' COMMITTEE ASSIGNMENTS and UPDATE

### **Commissioner Danielle Bethel**

- Met with Judge JD Clark from Texas – about ARPA extension and engaging Senator John Cornyn of Texas;
- Alex Cuyler Lane County Relations Manager – would like the BOC to put their name on a budget note regarding Oregon Housing and Community Services Disaster Recovery funding;
  - Alvin Klausen to work with him;
  - Alvin Klausen to ask Commissioner Tucker of Linn County, to join effort;
- Met with Denny Nielsen – Detroit City Council;
- Represented Association of Oregon Counties on public health modernization in Representative Diehl's office;

- Early Learning Coalition Legislative Committee;
- ARPA extension letter – sending to all county leaders – direct call to action;

**Commissioner Kevin Cameron**

- Benton County meeting – good conversation, lots of information;
  - Brian May is doing a great job;
- Climate-Friendly Equitable Communities meeting with cities of Salem and Keizer;
  - Good with the terms;

**Commissioner Colm Willis**

- Hire legal counsel and Marion County is not the client;
  - Public Defenders of Marion County filed motions to withdraw from cases in front of the Marion County Circuit Court and;
    - The BOC to meet with Judge Prall.

OTHER

Chris Einmo– shallow excavation of 10ft – 15ft;

Well-draining, -positive results on 3 of the 4 good soil and rocky;

- Bauman Lucas – groundwater results: shallow but doable;
- Warehouse;
- Grassmens;

Shepherd site – Groundwater results: shallow, poor draining, clay soils, not much effluent. No need to explore further;

Next month proceeding with deep soil exploration on the 3 eligible sites. After further testing we will be able to proceed with sites that meet requirements.

- Each site will cost \$150,000.

Met with two property owners;

Draft use-agreement written for Warehouse and Shepherd;

Meeting with Grassmens next week – to answer questions;

Mill City – sewer system current capacity. Leak is fixed;

**Adjourned** – time: 11:36 am

**Minutes by:** Mary Vityukova

**Reviewed by:** Gary White