



Management Update summary Minutes

OREGON

September 3, 2024. 9:30 AM

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

ATTENDANCE:

Commissioners: Kevin Cameron, and Danielle Bethell Colm Willis. Staff: Jan Fritz, Matt Lawyer, Trevor Lane, Shawnnell Fuentes, Alvin Klausen, Brian Nicholas, Dennis Mansfield, Scott Wilson, Phil Blea, Jennifer Chun, Debbie Wells, Kevin Thompson, Ryan Crowther, Carl Lund, Michael Pierce, Wesly Miller, Tamra Goettsch, Terry Stoner, Kelli Weese, Toby Giddings, Skylar Stangeland, Scott Norris, Chad Ball, Kathy Rogers, Nick Hunter, and Eric Reid.

Jan Fritz called the meeting to order at 9:30 a.m.

INFORMATIONAL:

1. Local Agency Certification Program Agreement

-Ryan Crowther

Summary of presentation:

- Previous certification program agreement was signed in 2016:
 - One amendment in 2019.
- Certified to oversee federal highway projects through the Oregon Department of Transportation (ODOT):
 - Allows delivery of own projects.
- If an agency is not certified, ODOT runs projects for you, or a certified agency does;
- Allows the department to tailor the projects to meet the county's needs;
- Federal rules will be followed;
- Not fully certified for bridge design and ODOT has oversight there;
- Certified for project delivery, hiring consultants, and other aspects;
- The civil rights process:
 - Disadvantaged Business Enterprise (DBE) goals for projects have certain percentages to meet.
- Use ODOT's process for consultants:
 - Large consultant contracts with sub-consultants need 3.5% to 8.5% of the sub-consultants to be from DBE certified firms;
 - Interview individuals on site to ensure they're paid the wages they say they're; and
 - Verify DBE firms perform the work themselves.
- There are 11 certified agencies;
- Multnomah, Clackamas, Linn, Lane and Marion counties are all certified;
- Washington County is working on certification;
- Uncertified jurisdictions have ODOT deliver on their behalf:

- ODOT places a project manager;
- Counties provide input and are on the team, but their staff does not run the project;
- Smaller cities go to certified jurisdictions and ask project delivery on their behalf; and
- Marion County has previously done this for other cities.

Board Direction:

- The board of commissioners (BOC) is good to proceed.

2. FEMA Endangered Species Act Pre-Implementation Measures

-Brandon Reich

Summary of presentation:

- Removed from the agenda.

Board Direction:

- N/A

3. Request Approval for Pursuing Oregon Watershed Enhancement Board, Restoration and ORPD Trails Grants

-Kevin Thompson

Summary of presentation:

- Marion County Public Works (MCPW) Parks department would like to apply for OWEB and the Reactional Trails Program (RTP) grants;
- Working on exact scope;
- Application process is labor intensive;
- Applying to continue previous OWEB funding from last three years;
- Used for invasive weed control, infrastructure protection, erosion control, water quality security, and park esthetics;
- Will also be used for the 10 falls wetland project:
 - Ensure that previous project efforts succeed.
- Project management match funding from OWEB to help fund a position vital to parks;
- RTP grant is for rehabilitation of trails and can match volunteer efforts with some organizations:
 - Oregon Parks Forever; and
 - Trail Keepers of Oregon.
- Staffing position is specific to the project management of grants including:
 - Salmon falls;
 - Weeding and planting for all canyon parks; and
 - River work within the parks.
- The position currently is funded by the grant, and it is budgeted:
 - Continue the position with the new grants; and
 - If not received a new funding source will be needed.
- Grants will not fully cover the position; and
- When applying any identified concerns be brought to the board.

Board Direction:

- The BOC is good to proceed.

4. IGA Amendment #1, with METCOM 911

-Scott Wilson

Summary of presentation:

- Going through the process of an actual IGA, and working on getting feedback;
- METCOM 911 provides MCPW's afterhours dispatching;
- METCOM 911 is currently providing service even though the agreement has lapsed;
- Agreed to the terms trying to push through review quickly; and
- Will retro request to July 1, 2024, to pay for already provided services.

Board Direction:

- N/A

5. Purchase Order for 2025 Freightliner Dump Truck

-Scott Wilson

Summary of presentation:

- 2025 freightliner 13 speed dump truck with a pre wet system plow sander;
- This will provide year-round support for;
 - Gravel roads;
 - Road shoulders;
 - Ditch maintenance;
 - Debris removal;
 - Pavement repairs; and
 - Chip seals.
- Can attach a snowplow and sander for any snow and ice during the winter months;
- The cost is \$332,243;
- This is replacing an over 23-year-old truck; and
- They are typically delivered in about 18 months.

Board Direction:

- The BOC is good to proceed.

6. Purchase Order for Three 2025 Dodge Durango's

-Michael Pierce

Summary of presentation:

- Part of the light duty lease program;
- These are replacement vehicles for the Marion County Sheriff's Office (MCSO);
- About 25,000 miles annually on the vehicles they are close to the 100,000 miles;
- What determines vehicle replacement includes:
 - Age;
 - Maintenance costs; and
 - Reliability.
- The current vehicle replacement model is being reviewed.

Board Direction:

- The BOC is good to proceed.

7. Illicit Camping Under Two Bridges

-Brian Nicholas

Summary of presentation:

- In April a property owner complained about illicit camping under bridges:
 - Pictures were attached; and
 - Upset on how things are handled.
- A bridge is in Monitor:
 - Crosses Butte Creek, and it is a Marion County bridge.
- The other bridge is on Highway 213:
 - This is a ODOT bridge.

- Had engagement with MCSO and MCPW;
- On August 16, 2024, another e-mail was sent asking for an update;
- Commissioner Bethell wants to know if a permanent obstruction is possible;
- The ODOT bridge is much worse from MCPWs perspective;
- Barriers may not help as individuals walk to the bridge;
- Road shoulder barriers can keep cars out, but there are not many vehicles;
- MCSO regularly monitors both bridges since the complaint:
 - Have not seen individuals; and
 - There are leftover campsites.
- The situation in Monitor involved an individual the community was supporting:
 - A handyman for the community;
 - Paying him to do projects;
 - Community asked to leave him alone; and
 - It seems that he is no longer there.
- Sergeant Schwab is working with ODOT to address the Highway 213 bridge:
 - Last few months shows remnants of camping but no signs current living.
- The Marion County bridge is on the list to have a no trespassing sign placed on it;
- MCSO will take pictures of the current state of the Monitor bridge; and
- The Highway 213 bridge was recently on ODOT's list of things to fix.

Board Direction:

- Send an update to the citizen and provide ODOT's contact information; and
- The BOC will send an e-mail to the citizen as well.

8. Pelton Project – Provide Residential Client Services

-Jennifer Chun

Summary of presentation:

- This is for \$150,000 and is retroactive to January 1, 2024, through June 30, 2025;
- For individuals placed for services without Medicaid, or unable to pay for services until they get benefits and entitlements; and
- Other contracts for mental health licensed providers to get funding are coming.

Board Direction:

- The BOC is good to proceed.

9. Acute Inpatient Services – Salem Health

-Debbie Wells

Summary of presentation:

- Increases bed rate to \$3,241 per day with a not-to-exceed amount of \$500,000;
- Acute inpatient psychiatric services for the following individuals:
 - Marion County residents;
 - Can't pay for services;
 - No third-party insurance including Medicare and Medicaid at admission; or
 - Benefits have been exhausted.
- Retroactive to January 1, 2024, and expires June 30, 2025:
 - Option to extend through December 31 of 2026.

Board Direction:

- The BOC is good to proceed.

10. Detroit Marinas Excavation – ODF Urban Community Forestry Program Grant Application

-Lari Rupp

Summary of presentation:

- Came to Management Update, August 6th, need direction to apply for Oregon Department of Forestry's (ODF) grant for urban community forestry;
- Board directed to prepare applications for review;
- Ensure the focus is disadvantaged communities;
- ODF Urban Community Forestry program, and it requires zero match dollars;
- Asking for \$406,250 in funds, plus administrative costs for a total of \$439,766;
- Focus on community access and using sediment excavated from marinas to make an urban forest at Osprey Point Peninsula:
 - A no cost space for residents unable to afford boat access.
- Application to be sent to the BOC for compliance and submitted:
 - Deadline is October 15, 2024.
- Would like BOC comments before September 15, 2024.

Board Direction:

- Include the boat cost of a boat slip in the application; and
- The BOC is good to proceed with the application.

11. North Marion Economic Development Strategy Letter of Support

-Kelli Weese

Summary of presentation:

- Letter supporting North Marion Business Service Alliance's grant application for the Ford Family Foundation;
- For economic development strategic plans in the North Marion region;
- For the whole region and each city that is participating:
 - Nine cities planning to participate.
- No plans to fund just show of support for the application.

Board Direction:

- The BOC is good to proceed.

12. Sole Source Determination for PROSECUTOR by Karpel

-Brendan Murphy, Toby Giddings, Eric Reid

Summary of presentation:

- Finance, IT and District Attorney's (DA) office met to discuss replacement system;
- There are advantages with direct awarding and not going through a process;
- Created brand name specification which requires to meet one of four elements:
 - Met three of the elements.
- Wrote sole source procurement and posted Request for Information (RFI) publicly for input:
 - Only input received was Karpel.
- Requesting BOC approve the special procurement;
- If approved, a posting is created to allow protesting the determination;
- Had conversation about this about 18 months ago;
- Allows to go to the next phase with Karpel to discuss feasibility;
- Will setup discussion for costs and other information;
- Karpel is the DA data system for 34 of the 36 counties in Oregon;
- Current system, eProsecutor, in place since 2017 and implemented around 2020:
 - Deteriorated substantially;

- Difficult to manage;
- Takes much time that it is a net loss;
- Marion County built the current program for provider:
 - Unmotivated provider.
- The county is not a priority;
- Lost many contracts throughout the US for similar reasons;
- IT is taking time trying to fix problems;
- Every update something breaks; and
- Large drag on resources.
- IT will ensure that the new system will function well;
- The biggest county Karpel recently got is Multnomah;
- Plan to go live within a year of contract;
- Karpel can assist in migrating from the old system to the new system;
- Karpel is used across the United States, as was eProsecutor;
- Linn and Curry counties did not go with Karpel:
 - Small caseload of about 80 cases a year; and
 - It can be managed with an Excel spreadsheet.
- Several Marion County prosecutors worked with Karpel in other counties:
 - Stated the current system is cumbersome, time consuming and makes more mistakes.
- Karpel is not perfect and there isn't a perfect system;
- Can leverage resources from other counties which may streamline conversion;
- Experienced, retiring, DA from another county is willing to be the project manager for this.

Board Direction:

- The BOC is good to proceed.

13. Jail Court Annex HVAC Renovation Project

-Tamra Goettsch

Summary of presentation:

- Last summer the unit failed:
 - Have been working on solutions since.
- Have rental equipment to prevent overheating during operations;
- In 2012 a balancing report company checked for deficiencies:
 - Original system is from 1988, and report showed certain areas couldn't cool;
 - Air flow difficulty equipment destruction, working too hard and not properly.
- In 2014 placed the VRF, LG system, which should have fixed the problems:
 - Airflow in the right spots, the right cooling, heating; and
 - Instead, equipment proved to be costly and failed prematurely.
- There have been many repairs, and not worth fixing anymore;
- Going with system similar to the original:
 - Air handler using hot water heat and DX cooling; and
 - Increasing the duct size in the building;
- Will need much renovation to get more airflow to other areas;
- Will have ability to modulate cooling better than previously;
- More conventional system and similar to most of Marion County's buildings:
 - Better control with automation.
- Contract with Hermanson Mechanical:
 - Went out for an Invitation to Bid (ITB)
- Not possible to have courts running:

- Everything to be done after hours;
- MCSO aware of work schedule and will have extra morning security sweeps;
- Start work 5:15 p.m., when court staff leaves, and leave by 5:30 a.m.;
- Some of the work will begin sooner depending on equipment;
- The goal is to work with the heat going through the entire space;
- Hope to have cooling operating before May 2025; and
- Aware of equipment is needed:
 - Temporary measures, from last year, in place until the project's completion.

Board Direction:

- The BOC is good to proceed.

14. United Way 2024 Employee Contribution Campaign

-Gary White

Summary of presentation:

- Met last week with department representatives:
 - Many great ideas.
- Each department is working on new ideas a few include:
 - Scavenger hunt;
 - Lunch with a commissioner;
 - Sheriff ride along;
 - Poinsettia sale;
 - Gingerbread house competition;
 - County wide trivia contest;
 - Wreath building;
 - Soup sale;
 - Fry bread taco sale; and
 - Biscuits and gravy with a side of eggs:
 - This will kick off the event on October 1, 2024.
- Coming to board session on September 18, 2024:
 - United Way will present with Mr. White; and
 - Video of last year's accomplishments.
- Last year the BOC did not want to discuss the senior cottages:
 - United Way would like to highlight them this year; and
 - Would like to feature as it is a high visibility item.
- United Way uses funds for their top five priorities:
 - Unless earmarked where you would like funds used; and
 - Senior cottages are a top five item.

Board Direction:

- Public needs to be aware Community Development Block Grant (CDBG) funds cannot be used within Salem city limits; and
- The BOC is good to highlight cottages as a United Way project and not a Marion County funded item.

15. Board Session Agenda Review

-Commissioner Kevin Cameron

Summary of presentation:

- Overview of agenda.

Board Direction:

- The BOC is good to proceed.

COMMISSIONERS' COMMITTEE ASSIGNMENTS and UPDATE

Commissioner Danielle Bethell

- Met with Raquel Moore Green:
 - Works in the Senate Republican office;
 - Work plan for Senate Bill 48 of 2021 legislative session for technical fixes;
 - Set up a meeting with the Sheriff to get county's perspective;
 - Another BOC member to work this; and
 - Can be carried by the Association of Oregon Counties (AOC).

Commissioner Kevin Cameron

- Need information on Federal Emergency Management Agency (FEMA) funding;
- Toured the Canyon with various individuals:
 - Congresswoman
 - Brian Nicholas, MCPW Director;
 - Michelle King of the US Forest Service;
 - Alvin Klausen, Government Relations; and
 - Fire Chief Fred Patterson of Idanha-Detroit Fire District.
- Marion County Health and Human Services service awards.

Commissioner Colm Willis

- N/A

OTHER

Sheriff Nick Hunter – Recriminalization First 60 Hours Update

- The city of Salem brought a couple of individuals to jail:
 - Following up on the charges; and
 - Probably delivery or manufacturing charges:
 - Enhancement came from House Bill 4002.
- Another tool to utilize to bring navigators out;
- No specific numbers from the weekend; and
- Some enhancements were immediate, and some as of September 1, 2024.

Commissioner Bethell and Sheriff Hunter- Recriminalization Program Process

- Consider a visual aid to help show the public what recriminalization looks like;
- Brendan Murphy created a chart for those doing the work:
 - Too much information for the average person to understand.
- Some elected officials are following the process of HB 4002 in Marion County:
 - Significant amount of confusion.
- There are questions coming in including:
 - What happens when officers interact with individuals; and
 - Where do individuals go if they want treatment.
- Behavioral Health Resource Network, Bridgeway and other addiction treatment services are available:
 - Public unaware and are hearing resources are not available to solve issues;
 - True to an extent but systems available; and
 - Point people in the right direction;
- The public needs to know that drug use, possession and delivery is now a crime:
 - May help individuals seek treatment as these activities are now criminal.
- Municipality elected officials not informed enough to be responsive to their public;
- Confusion came as the townhall shared Marion County Health and Human Services hotline:
 - People assumed they could call and get into treatment; and

- The hotline is for law enforcement use.
- Need to storyboard the idea;
- A major issue is the Portland run media;
- There is dissension in Multnomah County, and it is spreading across the state:
 - Some try to leverage this as a failure before it even gets started.
- KPTV did a great job of highlighting Marion County's program:
 - How the program works; and
 - But did not answer specific questions related to HB 4002.
- Work to keep messaging clear and concise;
- A representative on Fox and Friends completely misrepresented the program:
 - Knew what the program was;
 - Took opportunity to take aim at Portland; and
 - Did not highlight the great work done in other parts of the state.
- Lead with the right message to alleviate some confusion:
 - Assumption of those with marijuana on them are going to jail; and
 - That is not the case.
- The law allows counties to do things that work for them:
 - Counties do not have to all do the same thing; and
 - Can be more law enforcement forward or more health forward.
- The issue in Portland is some don't want to enforce drug laws:
 - Implementing HB 4002 in Portland is difficult.
- Many Oregon sheriffs that are contacted defer back to Marion County:
 - Engagement requests are coming to Marion County.
- OPB surprised what Marion County is doing compared to Portland.
 - Portland issues a ticket with a date on when come in for treatment; and
 - The county has a lead team, onsite navigator assignment and service referrals.
- Make clear that HB 4002 allows counties to implement different systems:
 - Highlight these differences;
- On local program show the different steps and stages of the process;
- Some state that the program will fail as it is statewide;
- The process will take some time; and
- Good to have statistics and a report on what is happening in Marion County.

Board Direction:

- Schedule a work session for messaging discussion; and
- Marion County Today to include public safety that is public focused.

Brian Nicholas – Rumble Strips on Cascade Highway

- Property owner sent an email thanking the county for not installing rumble strips;
- Wednesday's discussion was engineering liability and issues brought up by staff;
- A response is needed to Ms. Schweikert's email as she believes the project is complete, but it is not;
- Pricing for the sinusoidal rumble strips, which are quieter:
 - About \$16,000 as an out of state machine is needed.
- Adding yellow lines to draw attention to the center versus outer part of the lane;
- Currently no rumble strips on the half mile stretch near the property;
- Waiting for machine to get here, but thinking before the end of September;
- Concern is Ms. Schweikert does not want any rumble strips;
- Half a mile stretch, north and south sides, to have quieter strips, then 600 feet immediately adjacent to the northernmost dwelling will have no strips;

- An engineer that goes outside standards and does egregious things could be liable;
 - County to ensure staff are protected from personal risk and liability.
- Lani Radtke had discussion with the property owner;
- Carl Lund and Ryan Crowther met with the property owner assessing the situation:
 - Owner insinuated she worked for Salem’s engineer and knows how to get what she wants.
- Ms. Radtke felt minimized and that she has liability if something goes wrong:
 - She does not; and
 - It was difficult to address questions with the property owner in the room.

Board Direction:

- Mr. Nicholas to respond to the email informing that a new machine will complete the project with sinusoidal strips; and
- Commissioner Bethell may call the property owner.

Alvin Klausen – NW Natural Letter of Support for Line Extension Allowance Increase

- Let him know that the BOC needs to know the benefit to Marion County residents;
- Builders developing homes, with gas equipment, can get help to cover some construction costs:
 - State that it makes gas development cheaper.

Board Direction:

- The BOC is good to proceed.

Matt Lawyer – Three Basin Rule Challenges

- Met with the Governor’s Resiliency Officer, Beth Wytoski, Mr. Nicholas, Commissioner Cameron and Chris Einmo;
- Introduction conversation on the three basin rule challenges:
 - Relating to direct discharge.
- Discussed the highly technical process and described issues;
- Differences between Water Pollution Control Facility (WPCF) and National Pollutant Discharge Elimination System (NPDES) permits;
- Moving petition forward;
- Mr. Einmo stated tribes are on board and working to get Salem on board;
- Meeting Oregon Department of Environmental Quality (DEQ) in October at Detroit:
 - Commercial septic and Gates and Mill City.
- Discussed commercial septic issues for restaurants;
- Asked Resiliency Officer for potential DEQ interim while they work on rules; and
- City of Salem hinted meeting legal counsel about filing against the county and DEQ if a WPCF permit application is submitted.

Board Direction:

- The BOC is good with the update.

Matt Lawyer – Minto Park Latter Day Saints (LDS) Church Volunteer Work

- Mr. Thompson, MCPW Parks, tried to set up a volunteer day for the park;
- Unable to work it out because of staffing issues;
- Sublimity and Stayton will host a volunteer event instead:
 - Will bring in about 200 volunteers; and
 - Cleaning up a park on the river.

Board Direction:

- The BOC is good with the update.

Adjourned – time: 11:15 a.m.
Minutes by: Mary Vityukova
Reviewed by: