

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, January 25, 2023

9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Colm Willis, Commissioner Kevin Cameron, and Commissioner Danielle Bethell. Also present were Jan Fritz, chief administrative officer, Jane Vetto as county counsel, and Brenda Koenig as recorder.

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

(Video Time 00:00:42)

PUBLIC COMMENT

None.

(Video Time 00:00:46)

Commissioner Cameron moved to add an item to the Action agenda under Information Technology: Consider approval of the Purchase Order with CDW Government, LLC in the amount of \$839,576.50 for the purchase of a capacity-optimized primary storage array and a three-year extended service agreement. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:01:33)

CONSENT

BOARD OF COMMISSIONERS

Board Appointments – Ambulance Service Area Advisory Committee

1. Approve orders appointing Daniel Freitag, Frank Ehrmantraut, Kyle Amsberry, and Sherry Bensema to the Marion County Ambulance Service Area (ASA) Advisory Committee with terms ending January 25, 2026.

PUBLIC WORKS

2. Receive hearings officer's decision approving Variance, Case #22-009/Rodney and Paula Loder.

3. Schedule final consideration to adopt an administrative ordinance for February 1, 2023, for Zone Change/Comprehensive Plan Change (ZC/CP) Case #22-002/Jason Feusner.

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4. Approve Amendment #1 to the Private Development Agreement For Public Road Improvements with East Park, LLC to further define the timing of improvements to Cordon Road and establish a schedule for proportionate share payments.

TAX OFFICE

5. Approve an order for a property tax refund in the amount of \$35,965.02 for Cirrus Northwest, LLC tax account number 339693.

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

(Video Time 00:03:02)

ACTION

BOARD OF COMMISSIONERS

Board Appointments – Intellectual and Developmental Disabilities Advisory Committee

6. Consider approval of orders appointing Mariah Boyd and Jennifer Rowan to the Marion County Intellectual and Developmental Disabilities Advisory Committee (IDDAC) with terms ending December 31, 2026. –Corissa Neufeldt

Summary of presentation:

- Both individuals would be new to the committee;
- The two candidates represent agencies or community partners that operate within Marion County;
- Jennifer Rowan is a representative of the Salem-Keizer School District, working in the special education program;
- Ms. Rowan has several years of experience working with individuals with intellectual and developmental disabilities;
- Mariah Boyd has significant experience working with individuals with intellectual and developmental disabilities; and
- Ms. Boyd is a representative at a local branch of Vocational Rehabilitation, and she previously worked for Marion County.

Mariah Boyd:

- Ms. Boyd is a vocational rehabilitation counselor for the state of Oregon.

Board discussion:

- Vocational Rehabilitation is a state office.

MOTION: Commissioner Cameron moved to approve orders appointing Mariah Boyd and Jennifer Rowan to the Marion County Intellectual and Developmental Disabilities Advisory Committee (IDDAC) with terms ending December 31, 2026. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:07:26)

HEALTH AND HUMAN SERVICES

7. Consider approval of Purchase Order with Acro Service Corporation in the amount of \$250,000 to provide temporary staffing recruitments through December 31, 2025. –Rhett Martin

Summary of presentation:

- Acro Service Corporation is a broad-based talent solution firm:
 - Marion County Information Technology recommend them, as they have used them in the past.
- In August, two part time contractors were hired through Acro to work on the electronic health records (EHR) system project:
 - They were hired to work on some of the more code intensive forms and workflows within the project; and
 - The two contractors have been extremely helpful and instrumental in the progress that has been made since August.
- A web content professional was recently hired to go through the county's Health and Human Services public facing website:
 - This will be a six-month project; and
 - The goal is to make the public facing website more user friendly, and more informative.
- The purchase order would cover the services of these contractors; and
- The expenses are based on billable hours:
 - The purchase order amount is a not to exceed amount.

Board discussion:

- Commissioner Bethell clarified the scope of the staff that would be covered under the contract:
 - The two current temporary staff working on the EHR project and the additional web content professional.
- Commissioner Bethell inquired as to what was being done to employ local residents:
 - The Web content professional will be locally based.

MOTION: Commissioner Bethell moved to approve the Purchase Order with Acro Service Corporation in the amount of \$250,000 to provide temporary staffing recruitments through December 31, 2025. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:10:51)

INFORMATION TECHNOLOGY

Consider approval of the Purchase Order with CDW Government, LLC in the amount of \$839,576.50 for the purchase of a capacity-optimized primary storage array and a three-year extended service agreement. –Gary Christofferson

Summary of presentation:

- The purchase order is for replacing the county's enterprise storage hardware;
- The county's goal is to replace enterprise hardware on a five-year cycle to stay current with technology;
- Information Technology provides storage services for the county as a whole, including storage services for the following:
 - Application data for all major county operations; and
 - All non-application information for each department.
- The current hardware has reached the vendor's advertised end of life, and is due for replacement;
- Information Technology conducted an in-depth analysis of available storage solutions on the market, and they identified the peer storage array as the best value for Marion County:
 - The new array is easy to operate;
 - The manufacturer's support plan includes proactive monitoring and replacement of hardware parts when needed, and ongoing software maintenance; and
 - The new array has enough capacity to meet the county's projected storage needs for the next five years.
- The purchase will be made through a cooperative.

Board discussion:

- The storage array comes with a very good subscription service for support:
 - Every 36 months the vendor provides newer hardware as part of the agreement;
 - Also included during the 36 months is all software and firmware security patching; and
 - The county has the capability after 36 months to extend the service year to year.

MOTION: Commissioner Cameron moved to approve the Purchase Order with CDW Government, LLC in the amount of \$839,576.50 for the purchase of a capacity-optimized primary storage array and a three-year extended service agreement. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:14:06)

PUBLIC WORKS

8. Consider approval of an order revising the bylaws and the handbook for the Marion County Solid Waste Management Advisory Council (SWMAC). –Tom Kissinger

Summary of presentation:

- SWMAC was formed on February 1, 1989;
- SWMAC is a public body that makes recommendations on matters related to waste reduction, recycling, composting, and disposal of waste;
- Marion County policy requires that the Board of Commissioners approve any changes to the bylaws and handbook of the council;
- The current proposed edits to the bylaws and handbook would change the following:
 - Who can be appointed to the chair and vice-chair positions;
 - The member review process;
 - Meeting location specifics; and
 - Electronic meeting procedures.
- SWMAC has approved the proposed changes to the bylaws and handbook; and
- This topic was discussed at a Management Update meeting.

Board discussion:

- In the past, the council has struggled to maintain a chair and a vice-chair:
 - It is a large commitment; and
 - In the past, industry members could not hold the chair or vice-chair positions.
- Commissioner Bethell commented on the record that industry members are valuable to the process, but they are also very biased to the process:
 - The council's community voice needs to be the priority.
- The Board approves all appointments to the chair or vice-chair position;
- Commissioner Willis attended SWMAC meetings last year:
 - He feels that industry representatives do not dominate the council;
 - The council is primarily dominated by citizens who have a policy interest in this area;
 - His experience is that there is a healthy dialogue at meetings:
 - Industry representatives are often asked difficult questions by the citizens at large;
 - There is a good exchange of ideas and education; and
 - Industry representatives are often explaining how they do their work.
 - The Board needs to ensure that the healthy dialogue continues.
- One of the business and industry members can be a citizen at large:
 - There are eight citizens at large, with the potential for there to be nine citizens at large which would put the citizens at large in the majority.

MOTION: Commissioner Bethell moved to approve an order revising the bylaws and the handbook for the Marion County Solid Waste Management Advisory Council (SWMAC). Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:22:06)

9. Consider approval of the Contract for Services with Ash Creek Forest Management, LLC in the amount of \$790,000 for noxious weed mitigation and native plant restoration through January 31, 2026. –Tom Kissinger and Matt Knudsen

Summary of presentation:

- Marion County Public Works manages 250.69 acres of park land over seven different parks in the Santiam Canyon and 137.23 acres of right of way that was affected by the 2020 wildfires;
- Marion County, along with federal, state, and local partners, has completed hazard treatment mitigation work, and is preparing the long-term plan for restoration of these public lands;
- To complete the restoration process, the county requires services from a contractor who will do targeted native plant restoration and noxious weed mitigation;
- Additionally, Marion County Public Works manages 7.5 acres of federal and state permitted county project mitigation areas spread over eight sites throughout the county:
 - These sites also require vegetation management and noxious weed mitigation services;
 - The mitigation sites are located at capital projects involving roads, right of way, and bridges:
 - Any project impacts to wetlands or waterways in these areas has to be remedied:
 - The county must then maintain the site for three to five years.
 - The contractor can maintain vegetation, replant, apply herbicide treatment, and provide other services that are required at a site.
- \$639,482 of the contract will be paid for through an Oregon Watershed Enhancement Board (OWEB) grant; and
- The remaining contract value of \$150,518 will be paid for from the Engineering capital projects budget.

Board discussion:

- The county needs to make sure that the grant funding is carried forward in the budget;
- The money can be spent as soon as the contract is approved:
 - Site preparation will start as soon as the contract is approved.
- Staff is trying to get as much work done as possible in the event the grant funding is not carried forward;
- The work is done, and then the county bills and is reimbursed by OWEB:

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- The grant is a not to exceed amount contract.
- The county's timeline for the restoration work in the canyon is approximately two years;
- Staff met with OWEB, and their guidance is that even if the funds are obligated, they will only pay for work done through June 30:
 - The Commissioners would like to get this in writing.
- The county project representative for parks is Tom Kissinger, and for the mitigation sites it is Matt Knudsen or Ryan Crowther;
- A request for proposals (RFP) was done for on call engineering and related services:
 - AKS Engineering & Forestry was awarded the contract, and they have arborists on staff who can assess the health of trees in the canyon.
- The county also uses Mountain View Tree Service, and they have arborists on staff:
- The county always has trees assessed by an arborist before they are removed.

MOTION: Commissioner Cameron moved to approve the Contract for Services with Ash Creek Forest Management, LLC in the amount of \$790,000 for noxious weed mitigation and native plant restoration through January 31, 2026. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:31:22)

10. Consider approval of the Engineering and Related Services Contract with Harper Houf Peterson Righellis, Inc. in the amount of 160,040 to provide survey, wetlands determination, conceptual design, and alternative analysis for the McKay Road Traffic Safety Improvements project through December 31, 2026. –Ryan Crowther and Carl Lund

Summary of presentation:

- The project is located in northern Marion County on McKay Road;
- The county received \$3 million in American Rescue Plan Act (ARPA) funding for this project:
 - \$3 million is not enough money to do improvements throughout the entire section; and
 - Harper Houf Peterson Righellis Inc. (HHPR) will help the county identify where the funding would be most effectively used.
- McKay Road is a two-lane road with no separation between the lanes:
 - There are a limited number of turn lanes.
- There is approximately one fatal crash per year on McKay Road:
 - The primary cause of the crashes is a vehicle crossing the centerline and colliding with an oncoming vehicle.
- The project scope includes the following:
 - Construct intermittent safety improvements that would include some, or all, of the following:
 - A center median with rumble strips;
 - Roadway widening; and

- Associated drainage improvements, striping, signage, and other improvements.
- The contract scope includes the following:
 - Phase 1- define the most effective crash reduction treatments to implement within the corridor including:
 - On the ground survey;
 - Identification of potential environmental issues;
 - Traffic engineering analysis;
 - Drainage and stormwater treatment design;
 - Roadway design;
 - Safety treatment analysis; and
 - Construction cost estimates.
 - Phase 2 and phase 3 were included in the RFP, and they will be added on by amendment once the limits of the project are defined:
 - Phase 2- completing plans, specifications, and estimates; and
 - Phase 3- assisting with oversight of the contractor, professional of record work, and inspection.
- Following is the project schedule and budget:
 - HHPR has been selected for the engineering work:
 - The contract with HHPR is fully funded through the ARPA program.
 - The contract amount for phase 1 is \$160,040; and
 - Following is the preliminary schedule:
 - Complete design by the end of 2024; and
 - Have a contractor under contract to begin construction early in 2025.

Board discussion:

- There is a new state representative in the district where the project is located who may be interested in learning about the project; and
- The contract is primarily for design and design related services:
 - The contract is for the conceptual design, which is approximately 30 percent of the overall design;
 - It is not yet known how much design work will be required; and
 - Once the conceptual design is completed, staff will negotiate with the consultant to determine exactly how much work will be required to get the county to bid ready plans.

MOTION: Commissioner Bethell moved to approve the Engineering and Related Services Contract with Harper Houf Peterson Righellis, Inc. in the amount of 160,040 to provide survey, wetlands determination, conceptual design, and alternative analysis for the McKay Road Traffic Safety Improvements project through December 31, 2026. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:39:16)

11. Consider approval of the Construction Contract with HP Civil Inc. in the amount of \$474,555.55 of which an estimated \$379,644.44 will be provided with federal funds and an estimated \$94,911.11 will be provided in county funds for the Marion County Ferry Boat Program, Phase 3A project for operational improvements for the Wheatland ferry through September 30, 2024. –Ryan Crowther

Summary of presentation:

- The county receives federal funding for county ferry boats;
- The county has been working on improvements to their ferry boats over the last few years;
- The Wheatland Ferry is located north of the City of Keizer, and it connects Yamhill and Marion counties;
- The project scope includes the following:
 - Construct upper and lower catwalks on the Marion County tower;
 - Construct a lower catwalk on the Yamhill County tower; and
 - Replace existing steering winch with dual steering winches:
 - This will make it easier to control the steering and movement of the ferry.
- The catwalks are platforms utilized by maintenance workers:
 - The towers are tall, and the county wants them to be as safe as possible for maintenance workers; and
 - Maintenance workers use the towers to inspect cabling, communication equipment, and other items that need inspection and repair.
- The low bid of \$474,555.55 was received from HP Civil Inc.:
 - Eighty percent, or \$379,644.44, is federal funding; and
 - Twenty percent, or \$94,911.11, is county funding.
- If the contract is approved, the contractor has flexibility for when to start the project, and the completion date is September 2023.

Board discussion:

- Yamhill County pays a small amount that goes towards operating the ferry:
 - They pay 25 percent up to a set amount.
- The ferry is a service provided to citizens;
- Staff does not know if the ferry will need to be shut down for this project:
 - Staff works with the ferry operations group when doing ferry projects, and the ferry operations group is very protective of not shutting the ferry down unless it is absolutely required:
 - If it is required to be shut down, the amount of time it is shut down is limited.
- Approximately 1,000 cars per day use the ferry;
- If the ferry does need to be shut down, it needs to be communicated to the public; and
- There are generators installed on the platforms;

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- The final electrical components required to get the generators working are delayed due to supply chain issues.

MOTION: Commissioner Cameron moved to approve the Construction Contract with HP Civil Inc. in the amount of \$474,555.55 of which an estimated \$379,644.44 will be provided with federal funds and an estimated \$94,911.11 will be provided in county funds for the Marion County Ferry Boat Program, Phase 3A project for operational improvements for the Wheatland ferry through September 30, 2024. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

**PUBLIC HEARINGS
9:30 A.M.**

None.

(Video Time 00:49:13)

The Commissioners' calendar for the upcoming week is available on the county's website.

Commissioner Cameron made the following comments:

- He attended the Salem-Keizer Area Transportation Study (SKATS) meeting yesterday; and
- He complemented the Public Works department for the number of projects that they have been able to complete.


Commissioner Bethell made the following comments:

- Yesterday was the first day of the Point-in-Time (PIT) count; and
- There are still opportunities to volunteer for the PIT count, specifically on Saturday:
 - Volunteer information can be found on the Mid-Willamette Valley Homeless Alliance website.


Commissioner Willis adjourned the meeting at 9:54 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

Board Sessions can be viewed on-line at

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