

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, November 10, 2021
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

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

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

PUBLIC COMMENT

None

PRESENTATION

(Video Time 00:01:09)

1. Wildfire recovery update. –Scott McClure

Summary of presentation:

- Mr. McClure presented a Santiam Canyon Disaster Recovery Report that details the wildfire recovery efforts in the Santiam Canyon as of November 10, 2021:
 - An estimated 42 percent of the homes located within the fire zone have been issued dwelling permits;
 - An estimated 52 percent of the homes have been issued septic permits;
 - The Oregon Department of Transportation (ODOT) website is no longer reporting wildfire data and may be off-line;
 - Updates for Marion County Recovery Projects entails some of the following:
 - Financial Needs Analysis:
 - Efforts are being focused on data input for the City of Gates new financial software and utility billing system.
 - Communications and Outreach:
 - The santiamrecovery.org website has been restructured and provides details for some of the following:
 - Information pertaining to property cleanup;
 - Federal Emergency Management Agency (FEMA) assistance;

- Available resources and information related to some of the following:
 - Mental health;
 - The Santiam Service Integration Team (SIT); and
 - The United Way of the Mid-Willamette Valley.
 - Information related to the following:
 - Volunteering; and
 - Donating.
- A second fire recovery newsletter has been developed; and
- The Long-term Recovery (LTR) Group is receiving assistance with the following:
 - Social media; and
 - Promotional materials.
- Economic Impact and Opportunities Analysis:
 - A comprehensive picture of the canyon's current economy is being developed;
 - The impacts from the fire are being documented; and
 - There are recommendations to assist with the following:
 - Economic recovery;
 - Sewer issues; and
 - Marina excavation.
- Housing:
 - The grant award for the North Santiam State Park and temporary housing sites located in the City of Gates is under review; and
 - A lease has been approved for a housing site located in the City of Gates.
- Health Impact Assessment:
 - A team from the Oregon State University has provided a survey both in-person and on-line to assess the individual health impacts from the wildfire; and
 - Focus group meetings were held in order to solicit input.
- Community Visioning and Strategic Plans:
 - Vision drafts are under development; and
 - The drafts will be tested at public meetings that are scheduled for the City of Gates and the City of Detroit.
- The City of Detroit's water storage reservoir that is utilized for drinking water has been removed;
- Tree trimming is underway for areas located in the waterways;
- Efforts are underway to find matching funds for the Federal Emergency Management Agency (FEMA) grant awards;
- The City of Gates has hired an additional employee to assist with city administration;

- The state of Oregon has incentive programs available that encourage energy efficiency and fire hardening for properties that are rebuilding following the wildfires:
 - The county may manage the program; and
 - A septic program is being considered.
- A group that builds sheds for wildfire survivors has been connected with potential partners to assist with fundraising efforts;
- The World Renew team will be gathering data from wildfire survivors; and
- The information will be utilized to provide a comprehensive assessment.

Board discussion:

- The data gathered by the World Renew team will be utilized for some of the following:
 - Creating a data map detailing the housing impacts following the wildfires; and
 - Grant funding that may be available.

(Video Time 00:14:19)

Motion: Commissioner Bethell moved to remove the following item from the Action agenda under Public Works: Consider approval of an order establishing a policy for the temporary reduction in the cost to obtain building and septic permits from Marion County Building Inspection for property owners rebuilding or repairing commercial structures damaged or destroyed by wildfires in September 2020. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

Board discussion:

- The policy was reviewed and discussed in a meeting held on November 9, 2021;
- It is important to make sure the document meets the needs of commercial businesses; and
- It is anticipated the item will be on a future Board Session Agenda.

CONSENT

(Video Time 00:15:44)

BOARD OF COMMISSIONERS

2. Approve the Certification of Consistency Plan with the Marion County Consolidated Plan for the Continuum of Care Program Competition for Fiscal Year 2021 U.S. Department of Housing and Urban Development (HUD) Continuum of Care project applications.

HUMAN RESOURCES

3. Approve the recommendation to adjust upward the pay grade for classification codes #506, Public Health Nurse 1; #511, Public Health Nurse 2; #512, Public Health Nurse 3; and reactivate, update, and adjust upward the pay grade for classification code #377, Community Development Division Director.

PUBLIC WORKS

4. Receive notice of the hearings officer's decision recommending approval of Zone Change/Comprehensive Plan (ZC/CP) Case #21-007/Deep Lake Investment, LLC and schedule a public hearing for December 1, 2021.

5. Receive notice of the hearings officer's decision recommending approval of Zone Change/Comprehensive Plan (ZC/CP) Case #21-008/Snow and Kerley Properties, LLC and schedule a public hearing for December 1, 2021.

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

Board discussion:

- Consent item #2 under the Board of Commissioners is certifying that the Continuum of Care is consistent with Marion County's Consolidated Plan;
- It was conveyed in a Marion County Board Session held on November 3, 2021, that more research, review, and discussion was needed; and
- Upon further review, it was expressed that the two plans will not conflict with each other.

ACTION

(Video Time 00:17:43)

COMMUNITY SERVICES

6. Consider a resolution approving the rural industrial improvement property tax exemption for DKFab, Inc. –Kelli Weese, Nick Harville, Strategic Economic Development Corporation (SEDCOR), and Patrick Kirsch, DK Fab, Inc.

Summary of presentation:

- The county implemented the program in order to support rural industrial companies that are making large capital investments in their businesses;
- The program provides a three-year property tax exemption for any new, qualifying improvements to a rural business;
- The program's intent is to provide rural businesses the needed time to implement the capital improvements and see a return on their investment before the company is required to pay property taxes on the improvements;
- An application was submitted to the Marion County Assessor's Office:
 - The application has been reviewed; and
 - The application meets all the program requirements.
- If approved, DK Fab will be responsible for notifying all the taxing entities within the district to advise them of the following:
 - The company has applied for the tax exemption;
 - They will be receiving the tax exemption; and

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- The tax entities will forgo the funds proportionately.
- DK Fab anticipates the investment will bring an estimated \$5.5 million in new taxable value to the property:
 - The tax exemption is estimated to be \$47,872 for three consecutive years.
- The county contracts with Strategic Economic Development Corporation (SEDCOR) to support the following:
 - Business retention; and
 - Development within the county.
- A fire in 2018 completely destroyed the company's 12,000 square foot shop building located in Washington state:
 - Following the fire, the company utilized resources initially intended for the shop structure located in Oregon to rebuild a new 31,000 square foot shop structure located in Washington.
- DK Fab has already invested an estimated \$1.3 million in groundwork and development to prepare for the building; and
- The company has worked with a local architect to submit plans to the county for review.

Board discussion:

- The company builds specialized equipment for businesses processing some of the following:
 - Hops; and
 - Hazelnuts.
- The company also provides the following:
 - General fabrication; and
 - Mobile fabrication.
- DK Fab manufactures specialized equipment for local farmers:
 - The farmers may not be able to find the specialized equipment they need from another source.
- Notification will be submitted to 100 percent of the taxing entities;
- DK Fab will need to receive letters of support from 75 percent of the taxing entities;
- DK Fab, Inc. has donated equipment to assist the City of Mt. Angel with vocational training for welding;
- The program allows businesses to grow and invest locally;
- There are similar programs available to businesses located within urban areas;
- This program helps rural businesses that may not qualify for this type of tax assistance due to their business location:
 - Agriculture is the county's leading industry;
 - All the businesses that have been approved so far for the program have a relationship with the agriculture industry; and
 - The program provides businesses the opportunity to invest in rural areas within the county.
- DK Fab is currently operating in a 10,000 square foot building:

- The new building will be approximately 42,000 square feet in size; and
- The company anticipates employing an additional four to six individuals over the next three to four years.
- A First Source Hiring Agreement requires businesses approved for the tax exemption to provide additional local jobs;
- The county utilizes economic development dollars to partner with SEDCOR to provide small rural businesses the opportunity for a deferred tax exemption:
 - The program encourages companies to stay in Marion County and expand their business;
 - It helps provide more employment opportunities; and
 - Other taxing entities may benefit from increased revenues in three years.

MOTION: Commissioner Bethell moved to approve a resolution approving a rural industrial improvement property tax exemption for DKFab, Inc. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:34:56)

7. Consider a resolution approving the Brooks-Hopmere Community Plan Future Report.
–Kelli Weese

Summary of presentation:

- Brooks-Hopmere is the county’s largest unincorporated community:
 - It consists of two adjacent communities connected together by Brooklake Road;
 - It is located three miles north of the City of Keizer near the following intersections:
 - Interstate 5 (I-5);
 - Highway 99E; and
 - Highway 99W.
 - An estimated 550 individuals reside in the community; and
 - The area provides an estimated 1,500 employment opportunities in the following industries:
 - Commercial;
 - Industrial; and
 - Agriculture.
- In 2019, the county entered into a two-phase contract with Angelo Planning Group to review and analyze the existing conditions, and then provide options for the county to help support the region as it develops:
 - Phase One entailed developing a report that would assist the county with understanding the current and future needs of the following:
 - The residents; and
 - The businesses.

- The report would also assist with the county's coordination efforts with the Oregon Department of Transportation (ODOT) for the Brooklake Road Interchange Area Management Plan (IAMP):
 - The plan develops future interchange improvement alternatives; and
 - The county wants to ensure that the future interchange improvements are cohesive with the needs of the businesses and the residents located in the Brooks-Hopmere area.
- The planning process entails some of the following:
 - Evaluating the existing conditions and requirements:
 - This includes review of the following:
 - Transportation in the area;
 - Water and wastewater infrastructure; and
 - Land use regulations.
 - There was significant community outreach and engagement, which included some of the following, in order to identify the community's priorities and visions:
 - Postcard mailings;
 - Surveys;
 - Email distributions;
 - Website information;
 - Open house events; and
 - Stakeholder interviews.
 - Develop growth scenarios:
 - This included review of the following:
 - Potential population increases;
 - Potential employment increases; and
 - Determining how growth might occur.
 - Working with the community to determine their desired future.
- Community members would like to maintain the ambiance of a small, rural town;
- Future goals entail focusing on improvements to the following:
 - Road congestion for the following intersections:
 - I-5;
 - Highway 99E on the eastside of I-5; and
 - River road on the westside of I-5.
 - Infrastructure;
 - Additional development opportunities for businesses; and
 - Additional community space due to the recent loss of a school.
- Community assets in the area include some of the following:
 - Easy access to I-5 and Highway 99;
 - A Chemeketa Community College campus;
 - Several large businesses with employment needs; and
 - A local business that attracts tourists.
- Existing area challenges include some of the following:
 - The expense required for the transportation improvements;

- Capacity issues at the interchange locations;
- The absence of traffic signals in the area;
- The need for additional bicycle and pedestrian infrastructure;
- Limited street connectivity in the area;
- The water system has limitations:
 - There is no real community water system;
 - A few wells are shared:
 - The wells have limited water capacity.
 - There is inconsistent water quality; and
 - There are limits to the fire flow capacity.
- The sewer system has limitations:
 - The system requires a lot of maintenance:
 - Frequently used systems may require weekly pumping; and
 - Frequent pumping can be extremely expensive.
- There are area land use concerns:
 - The area is designated as an urban, unincorporated community; and
 - The designation has to be considered when determining future growth in the region.
- The community is unincorporated and has no local government structure:
 - Marion County is the government structure for the region.
- Community vision for the future entails some of the following:
 - Provide a job hub for the local agricultural industry;
 - Ensure the transportation facilities are able to support local businesses so that they can grow and thrive;
 - Provide a connected community between the two entities so that they can work together as one entity;
 - Ensure that the infrastructure that serves the businesses and residents is cost effective and provides for sustainable growth;
 - Preserve the agricultural land; and
 - Maintain the rural ambiance.
- The community vision was not universally adopted by all the individuals residing in the region:
 - Individuals expressed concerns related to the following:
 - The impacts of business growth on traffic:
 - Vehicle traffic may increase; and
 - Pedestrian traffic may increase.
 - Maintaining a rural atmosphere; and
 - The expense for infrastructure improvements.
- The end goal for the Brooks-Hopmere Community Plan Future Report is to provide recommendations that would allow the county to help support the region as it develops;
- The future report includes recommendations for some of the following:
 - Transportation improvements:
 - Enhancements to the I-5 interchange;

- Partnering with ODOT on the IAMP to find interchange solutions;
- Advocate for the interchange improvements which are currently not funded; and
- Ensure that the project is one of ODOT's future capital improvement strategies.
- Water and wastewater infrastructure:
 - Determine next step solutions for the water system and the wastewater system that will serve the needs of both the businesses and the residents; and
 - Perform a feasibility study that will analyze the issue.
- Land use and community facilities:
 - Review the land use regulations and boundaries in the region; and
 - Determine if there are options to reduce the requirements.

Board discussion:

- The plan was detailed and discussed in a prior Work Session meeting;
- Businesses located in the region may qualify for a rural industrial improvement property tax exemption; and
- Finding ways to add value to the county's agricultural products is important and may increase wealth in Marion County.

MOTION: Commissioner Willis moved to approve a resolution approving the Brooks-Hopmere Community Plan Future Report. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:49:54)

8. Consider approval of Amendment #1 to the Contract for Services with Angelo Planning Group to add \$321,470 for a new contract total of \$396,470 for completion of the water and wastewater feasibility studies for Phase 2 of the Brooks Hopmere project through December 31, 2023.

–Kelli Weese

Summary of presentation:

- The amended contract allows for completion of the water and wastewater feasibility studies in the Brooks-Hopmere area:
 - The utility infrastructure will be reviewed;
 - The economic impacts from area improvements will be analyzed; and
 - A method to provide technical service for residents and businesses will be determined:
 - Land use regulations and other requirements for the infrastructure improvements will need to be assessed.
- The county will utilize the feasibility study to determine the next best step in the project:
 - Different options will be considered;
 - The pros and cons of each option will be reviewed; and
 - The information will be utilized to determine the best course of action.

- Three purposes of the feasibility study include:
 - Performing a detailed review of the current conditions;
 - Review various improvement scenarios; and
 - Provide direction for financial viability.
- The Angelo Planning Group has completed Phase One of the project which entailed:
 - Completing a study of the Brooks-Hopmere area; and
 - Determine the best methods to support the community residents and businesses.
- Phase Two is anticipated to last fourteen months;
- The original contract went through the county's Request For Proposal (RFP) process:
 - A qualifications-based selection process was utilized to determine the best consultant to assist with the project;
 - The Angelo Planning Group was awarded the contract; and
 - The Amended contract will utilize the same contractor.
- The project scope includes three objectives:
 - Objective A will entail the consultants, Angelo Planning Group, reviewing the following:
 - Rural management;
 - Community engagement; and
 - Land Use assessment:
 - The anticipated expense for Objective A is estimated at \$36,788.
 - Objective B will entail the subconsultants, Keller and Associates, completing the water feasibility study which entails review of the following:
 - Data acquisition;
 - Existing facilities;
 - Project needs;
 - Department of Environmental Quality (DEQ) requirements;
 - Infrastructure requirements;
 - Possible population increases;
 - Storage and distribution alternatives; and
 - Source alternative evaluations with the following potential options:
 - A community well;
 - Connection to a neighboring system; or
 - Maintaining the current system:
 - The anticipated expense for Objective B is estimated at \$140,202.
 - Objective C will entail the subconsultants, Keller and Associates, completing the wastewater feasibility study:
 - Data acquisition;
 - Existing facilities;
 - Project needs;
 - DEQ requirements;
 - Infrastructure requirements;
 - Possible population increases; and

- Alternative analysis which entails:
 - Focusing on a way to move the wastewater infrastructure from a step system to a gravity-based system:
 - Possibly performing an overhaul of the entire system all at once;
 - Potentially overhauling the entire system in phases; or
 - Maintaining and improving the current system:
 - The anticipated expense for Objective C is estimated at \$144,480.
- All three options will be reviewed and priced to determine the following:
 - Impacts to the community;
 - The growth potential;
 - The cost for businesses;
 - The cost for residents; and
 - What the next best steps will be.
- Significant community engagement is anticipated which includes:
 - Conversation with the following:
 - Residents;
 - Businesses; and
 - Government stakeholders.
 - A project website;
 - Email distribution;
 - Continued discussion with the Marion County Board of Commissioners;
 - A work session for the water feasibility study; and
 - A work session for the wastewater feasibility study.
- The total project expense for Phase 1, which was expended in fiscal year 2020-21, was \$75,000;
- Phase 2 expenditures for the project will encompass two fiscal years:
 - Anticipated expenditures for fiscal year 2021-22 are estimated at \$195,000;
 - Anticipated expenditures for fiscal year 2022-23 are estimated at \$126,470; and
 - The total project cost for Phase 2 is estimated at \$321,470.
- The total project expenditures for both Phase 1 and Phase 2 is estimated at \$396,470.

Board discussion:

- There has been discussion with the Marion County Public Works team to determine how the project might impact the potential for additional funding opportunities from the Advanced Research Projects Agency (ARPA);
- The contract with Angelo Planning Group will keep the project moving forward;
- The information obtained in Phase 2 can be utilized in a proposal for ARPA funding; and
- The potential for an additional amendment to the contract that pertains to the scope of work and the timelines is anticipated.

MOTION: Commissioner Bethell moved to approve Amendment #1 to the Contract for Services with Angelo Planning Group to add \$321,470 for a new contract total of \$396,470 for completion of the water and wastewater feasibility studies for Phase 2 of the Brooks Hopmere project through December 31, 2023. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:14:19)

PUBLIC WORKS

9. Consider approval of an order establishing a policy for the temporary reduction in the cost to obtain building and septic permits from Marion County Building Inspection for property owners rebuilding or repairing commercial structures damaged or destroyed by wildfires in September 2020. –Brandon Reich

(Motion made and approved to remove item from the agenda)

(Video Time 00:59:52)

10. Consider approval of the Contract for Services with Battery Solutions, LLC in the amount of \$375,000 to provide battery recycling services and transportation from the county's designated battery sorting facility through December 31, 2026. –Brian May

Summary of presentation:

- The five-year contract is for the transportation and recycling of batteries collected within the county;
- The program was originally recommended in 1999 by the following entities:
 - The Marion County Solid Waste Management Advisory Council (SWMAC); and
 - The Mid-Valley Garbage and Recycling Association.
- The program started in 2000 and was one of the first curbside collected battery programs in the nation;
- An estimated 150,000 tons of batteries have been collected since the program's inception in 2000:
 - An estimated 150,000 pounds of batteries are collected annually; and
 - The program helps to reduce emissions.
- Garten Services is the county's designated sorting facility:
 - An estimated \$25,000 is spent annually for the battery sorting service;
 - Batteries that are not properly handled and packaged for shipment can result in fire issues:
 - This has become an issue in the solid waste industry.
 - The company performs all the battery handling and packaging prior to shipment to a recycling location.
- In addition to curbside pickup, the county also provides drop-off sites at an estimated 30 locations and the following transfer stations:
 - Salem-Keizer Recycling and Transfer Station; and
 - North Marion Recycling and Transfer Station:

- Available drop-off sites can be located on the county's website mcrecycles.net.
- The current contract for battery recycling services expires on December 31, 2021;
- Staff solicited for the battery recycling service;
- Staff received two bid proposals from the solicitation;
- Battery Solutions, LLC submitted the lowest bid;
- The contract will cover all expenses associated with the transportation and recycling of household batteries;
- Based on the county's current volumes, the service is anticipated to cost approximately \$75,000 annually;
- The total cost for the five-year contract ending on December 31, 2026, is estimated at \$375,000; and
- Staff recommends approval of the contract with Battery Solutions, LLC.

Board discussion:

- The contract is for household batteries only which include some of the following:
 - Double A's;
 - Triple A's;
 - 9-volt; and
 - Smaller button batteries that may be utilized for items such as hearing aids.
- Car batteries are not included in this contract;
- There are still a lot of batteries that are not being disposed of correctly;
- More public education may be needed;
- Many large housing complexes may not offer recycling options:
 - Future legislation may provide more options for tenants to recycle.
- The expansion of the Marion Resource Recycling Facility (MRRF) may assist with the county's recycling efforts;
- Community members are able to dispose of batteries at an estimated 30 drop-off sites located at various businesses throughout the county;
- Different communities may not provide the same recycling options; and
- It was suggested that recycling education be implemented as a graduation requirement for high school aged students.

MOTION: Commissioner Willis moved to approve the Contract for Services with Battery Solutions, LLC in the amount of \$375,000 to provide battery recycling services and transportation from the county's designated battery sorting facility through December 31, 2026. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 01:08:12)

11. Consider approval of the Contract for Services with JPW Communications, LLC in the amount of \$1,000,000 to provide public relations services to the Marion County Public Works, Environmental Services Division through November 30, 2023. –Brian May

Summary of presentation:

- The Marion County Public Works (MCPW), Environmental Services Division has utilized a firm to assist with media and advertisement needs since 2013;
- Placing ads as a means for public notification has not always been effective:
 - The method may not be a cost-effective tool.
- The onset of COVID-19 required more virtual advertising options:
 - The options to communicate with the public changed;
 - County staff needed to adapt to the communication changes;
 - MCPW, Environmental Services Division, determined more assistance with virtual advertising was needed; and
 - The department wants to utilize a data driven approach for public communication.
- The department required a contractor that could assist with the following:
 - Solid waste;
 - Stormwater;
 - Parks;
 - Environmental services; and
 - Public communication assistance through the duration of the COVID-19 pandemic.
- Staff solicited for the public relations service in September 2021;
- Staff received one qualified bid proposal from the solicitation;
- JPW Communications, LLC had notable background experience:
 - The company's founder and multiple staff members are former government employees that understand the following:
 - The county's processes;
 - How to engage the public;
 - Where to engage the public; and
 - How to appropriately engage the public.
- County staff executed an extensive interview process with JPW Communications, LLC;
- The contractor has knowledge and experience with some of the following campaigns:
 - Litter;
 - Freshwater;
 - Stormwater; and
 - Construction.
- The county will utilize the company to assist with the following:
 - Updating, rejuvenating, and rebranding the master recycler program;
 - Life cycle analysis that adapts to the new Oregon Senate Bill 582, the Recycling Modernization Act; and
 - Providing information related to the Oregon Department of Environmental Quality (DEQ).

- The contract term is for two years with an option to extend the contract an additional three years; and
- The contract total for a five-year term is estimated at \$1,000,000:
 - An estimated \$200,000 will be paid annually for public relations services for the MCPW, Environmental Services Division.

Board discussion:

- The MCPW communication coordinator will be the project manager working directly with the contractor;
- New grant programs for master recycling and other issues may be available;
- Commercials may be utilized as a tool for public communication, education, and awareness;
- The Salem-Keizer Public School, Career Technical Education Center (CTEC) offers marketing, advertising, and videography courses to high school students:
 - It was suggested the students may be able to assist with the county’s public communication efforts;
 - The service is free; and
 - It provides the students business experience they may be able to utilize in future endeavors.

MOTION: Commissioner Bethell moved to approve the Contract for Services with JPW Communications, LLC in the amount of \$1,000,000 to provide public relations services to the Marion County Public Works, Environmental Services Division through November 30, 2023. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:18:06)

12. Consider approval of Amendment #1 to the Construction Contract with Farline Bridge, Inc. to add \$274,282.06 for a new contract total of \$4,339,144.96, which an estimated \$3,819,829.48 will be paid with federal funds and an estimated \$519,315.48, or the actual excess amount upon construction, will be funded by the county for the Silverton Road: Little Pudding River Bridge Replacement project. –Ryan Crowther and Brian Nicholas

Summary of presentation:

- The project is located on Silverton Road east of the City of Salem;
- Currently the bridge is under construction:
 - The road is closed at the bridge; and
 - There are two detours in place for traffic to travel around the construction area.
- The amended contract will address issues that were discovered after construction had already started which includes some of the following:
 - Additional tree removal that was not included in the original contract;
 - Additional temporary traffic control and striping to facilitate improved movement through the detours;

- The removal of undocumented large concrete footings from a prior structure;
- Perform coring on drilled shafts to confirm some anomalies that were not present within the concrete; and
- Execute wet weather construction due to project delays:
 - Wet weather rock fill will be utilized instead of native back fill to help ensure deadline dates are met.
- The bridge closure date has been extended to January 12, 2022;
- The contract also has been extended to January 12, 2022:
 - Any days past this date are subject to liquidated damages estimated at \$760 a day.
- The amendment adds \$274,282.06 in funding to the original contract:
 - The county's total estimated project funding is now \$519,315.48.
- Construction is anticipated to be completed by June 30, 2022.

Board discussion:

- MCPW staff has partnered with the City of Silverton to develop a public communication plan for the project delays:
 - The city has expressed concerns for the impacts to businesses due to the road closure;
 - MCPW staff has issued press releases to inform the public of the closures through the end of January;
 - MCPW staff approached the City of Silverton, Chamber of Commerce, to offer assistance with the following:
 - A communication campaign; and
 - Improving outreach communications and marketing with the city's online platforms:
 - Developing marketing materials; and
 - Utilizing social media to expand the city's listener base.
- The detour directs the public to travel the following route to access the city limits:
 - Hazelgreen Road to Howell Prairie Road;
 - Travel south on Howell Prairie Road to Silverton Road; and
 - Travel Silverton Road into the city limits.
- Variable message signs will be utilized for area flooding during inclement weather patterns.

MOTION: Commissioner Willis moved to approve Amendment #1 to the Construction Contract with Farline Bridge, Inc. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 01:28:16)

PUBLIC HEARINGS
9:30 A.M.

Public Works

A. Public hearing to consider Zone Change/Comprehensive Plan (ZC/CP) Case #21-004/Anthony Arnautov. – Alyssa Schrems

Summary of presentation:

Alyssa Schrems:

- The case is for a Zone Change and Comprehensive Plan Amendment (ZC/CP) for two parcels that total 2.25 acres in size;
- The properties are located at 4310 and 4330 Monroe Avenue NE, in the City of Salem:
 - The properties are approximately 0.25 miles east of Lancaster Drive.
- The application is requesting the following:
 - To change the comprehensive plan designation from Developing Residential to Multi-Family Residential; and
 - Change the zone from Urban Development (UD) to Multi-Family Residential (RM).
- The hearings officer held a public hearing on July 1, 2021; and
- The hearings officer has recommended approval of the ZC/CP application.

Board discussion with Alyssa Schrems:

- MCPW has not started public outreach or held any public hearings related to changing the density in areas located east of the City of Salem;
- Staff is currently proposing a maximum of six connected townhomes in areas zoned RM;
- The application parcels are not currently zoned RM;
- Development options available to the county include some of the following:
 - Developing Residential which is typically one home located on a property;
 - Developing Residential with a Comprehensive Plan (CP) underlying it would allow for a subdivision:
 - This will automatically rezone the parcels to Single Family Residential (RS):
 - The RS zone allows for four connected townhomes to be located on the property;
 - The applicant's two land parcels will accommodate an option for an RS zone;
 - The applicant would be required to create 1,500 square foot lots; and
 - There are 5-foot setback requirements.
 - The county requires RM zones to proceed through the ZC/CP process:
 - This allows for a higher density of dwellings; or
 - There are still lower density options available.
 - Under the county's current code, townhomes are considered zero-lot-line dwellings:

- The code allows for four structures; and
 - There are 10-foot setback requirements.
- The county's density code allows for the maximum of one unit per 1,500 square foot lot;
- The applicant has provided a layout of their proposed structure; and
- Approval of the zone change does not approve the structure development:
 - The applicant is still subject to further review as part of the building permit process.

John Brosy:

- Mr. Brosy is a land use planning consultant representing the property owner;
- The application provides the opportunity for additional density in the area;
- The 2.25-acre parcel is comprised of the following:
 - A new, tall, site-obscuring wooden fence is located on one end of the property:
 - The fence is adjacent to a new single-family development.
 - A required setback is located on the east side of the property:
 - A ditch considered a branch of the Little Pudding River provides a 30-foot easement:
 - The easement is in addition to a required 12-foot setback depending on the structure height.
 - Two homes owned by the applicant are located on the north side of the property:
 - The applicant's family has resided in one home for over 20 years; and
 - The applicant recently acquired the second home in a Right of First Refusal (ROFR) agreement with the prior property owner.
- The applicant's proposal requires the removal of some outbuildings;
- The properties already include the required utilities;
- The applicant will improve the width of the following streets:
 - Deana Street NE; and
 - Monroe Avenue NE.
- Mr. Brosy attempted to contact the local neighborhood association but received no response:
 - He expressed the association was not organized enough to hold a meeting.
- Mr. Brosy received one written response in opposition to the proposed changes; and
- Mr. Brosy urged approval of the zone change application.

Board discussion with John Brosy:

- The applicant plans to remove one home and a couple of outbuildings currently located on the property:
 - The structures are located near Deana Street NE; and
 - Once the structures are removed, then a portion of the property owners land will be utilized to build units and expand the width of Deana Street NE.
- The applicant plans to continue residing in one home for a number of years:

- Ultimately the property containing the one remaining home will be utilized in a future project phase.
- The current zone allows for RS development without executing a zone change:
 - The current zone will not accommodate the density that the applicant is requesting.
- Mr. Brosy expressed that opposition was received from one property owner that resides on Monroe Avenue NE;
- Attempts to contact the local neighborhood association in June were unsuccessful;
- The number of units built on the two parcels will depend on the off-street parking requirements; and
- The developers are the property owners currently residing on the land parcels.

Board discussion with Alyssa Shrems:

- The county has no guidelines to discourage on-street parking:
 - There is nothing in the county's development code that prohibits on-street parking; and
 - Streets are generally developed to accommodate structure capacity.
- There are parking requirements that are based on the following:
 - The number of units located on a property; or
 - The number of bedrooms in a unit:
 - A one-bedroom unit has different requirements than a two-bedroom, or a three-bedroom unit.
- This public hearing is strictly for a zone change request:
 - The request is not for a development proposal;
 - There currently are no conditions of approval;
 - A site plan is not part of the zone change process:
 - The applicant may submit another plan in the future that differs from the original plan submitted for the zone change process; and
 - Depending on the applicant's final plan submission, additional building requirements may be imposed.
 - A right-of-way dedication may be required in the future, depending on the development proposal:
 - This could entail widening roads in front of an apartment complex to account for additional traffic and additional road improvements.
- Commissioner Bethell expressed for the record that the community is multi-family or single-family residential:
 - A large population increase may create disruptions in traffic and other issues; and
 - Neighbors in the community may be concerned with possible upcoming housing changes.

John Brosy:

- The number of housing units will depend on the following:
 - Parking requirements; and

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- The type of structure that will be allowed on the property.
- The applicant wanted to be up-front with the community and the City of Salem in regards to their proposed housing plan;
- A traffic impact study was performed:
 - The City of Salem recognizes that future interchange improvements on Lancaster Drive may be needed:
 - Monroe Avenue is one intersection that will need to be reviewed.
 - Traffic engineers have expressed that the project meets all current standard requirements; and
 - The roads are adequate for the additional units.

Board discussion:


- The additional housing development may require the following City of Salem services:
 - Water; and
 - Sewer.
- Concerns were expressed with allowing multi-family apartment units in a single-family zone:
 - Apartment structures may be a burden on the community; and
 - The proposed land parcels may be more suited for houses.
- Current zoning already allows for additional density with a smaller scale of housing units that can be built on the property;
- The hearings officer has recommended approval of the zone change;
- There is a housing shortage in the state and in Marion County;
- More available housing is necessary in order to meet population needs;
- The public hearing is for a zone change request only:
 - The applicant will still be required to submit building plans for approval.
- The Urban Growth Boundary prohibits building apartments in Exclusive Farm Use (EFU) zones:
 - An EFU zone is located approximately one mile east of the applicant's property.
- It is the job of county staff to perform a technical review on the application:
 - It was determined that the application meets all the zone change requirements.
- It is the board's responsibility to provide a policy decision for the application;
- The public was notified of the following:
 - The initial hearings officer hearing;
 - This public hearing scheduled to be held during the Marion County Board Session meeting; and
 - If requested, an individual can receive a copy of the decision related to this public hearing.
- A mailed copy of the hearings officer's recommendation was submitted to the following:
 - Adjacent neighbors within 100 feet of the property boundaries;
 - The neighborhood association; and
 - Service providers.

- Mr. Brosy expressed that the applicant will continue to be the property owner as well as the developer; and
- The applicant's family members will continue residing in one home located on the properties.


MOTION: Commissioner Bethell moved to close the public hearing and approve Zone Change/Comprehensive Plan (ZC/CP) Case #21-004/Anthony Arnautov. Seconded by Commissioner Cameron; motion carried 2-1 with Commissioner Willis voting no.

(Video Time 01:58:59)


Commissioner Bethell read the calendar;
Commissioner Cameron adjourned the meeting at 11:03 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

Board Sessions can be viewed on-line at
<https://www.youtube.com/playlist?list=PLSUQ1gg6M78UsBE3q6w4rdf59Z5rXkEi5>