

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Tuesday, December 31, 2019  
9:00 a.m.

Senator Hearing Room  
555 Court Street NE  
Salem, OR 97301

PRESENT: Commissioner Kevin Cameron, Commissioner Sam Brentano, 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.

**CONSENT**

*(Video Time 00:03:31)*

BOARD OF COMMISSIONERS

Approve a resolution appointing Jan Fritz as the county's representative to the Courthouse Square Condominium Association, and a memorandum of action electing Jan Fritz and Allan Pollock as directors effective January 1, 2020.

BUSINESS SERVICES

Approve a recommendation to change titles, update language, and adjust upward the pay scale for classification #306, Civil Engineering Supervisor, and #357, Civil Engineering Associate 3. Uphold the pay grade for #305, Civil Engineering Associate 1, and #353, Civil Engineering Associate 2.

FINANCE

Approve Amendment #4 to the Franchise Extension Agreement with WaveDivision VII, LLC, dba Wave Broadband, extending the agreement through June 30, 2020 to allow for continued negotiations.

HEALTH AND HUMAN SERVICES

Approve Amendment #5 to the Intergovernmental Agreement with the Oregon Health Authority to add \$39,902 for a total of \$2,941,918 to provide basic public health services and for maintaining and improving public health services and programs in Marion County.

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

## **ACTION**

*(Video Time 00:04:54)*

### BOARD OF COMMISSIONERS

1. Consider approval of an order adopting revised Administrative Policy #301, Equal Employment Opportunity. –Lisa Trauernicht and Salvador Llerenas

#### ***Summary of presentation:***

- Administrative policies are reviewed and updated if needed every three years;
- The review process includes the following steps:
  - Policies from other counties and jurisdictions are examined to ensure that best practices are being followed;
  - The law is analyzed;
  - Legal Counsel is consulted;
  - The policy is distributed to union representation for review; and
  - Discussions are held with Central Services Departments which include the following:
    - The Board of Commissioners;
    - Legal Counsel;
    - Information Technology;
    - Business Services; and
    - Finance.
- The county always follows state and federal laws to ensure that policies are in compliance;
- The following changes were made to Policy #301, Equal Employment Opportunity:
  - Formatting was updated to ensure the policy was in line with the county's current policy structure;
  - A "Purpose" section and a "General Policy" section were added; and
  - Language was updated.
- If approved the policy will be disseminated to all county employees:
  - Notices will be posted on department bulletin boards;
  - A meeting will be held with elected officials and department heads;
  - A draft will be provided to labor organizations;
  - The policy will be reviewed with new employees during the orientation process; and
  - Training is available for all department employees and individuals if requested.

**MOTION:** Commissioner Brentano moved to approve an order adopting revised Administrative Policy #301, Equal Employment Opportunity. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

*(Video Time 00:09:15)*

2. Consider approval of an order adopting revised Administrative Policy #602, Discrimination and Harassment Free Workplace. –Lisa Trauernicht and Salvador Llerenas

***Summary of presentation:***

- The title was revised on Policy #602:
  - The previous title was “Nondiscrimination”; and
  - The new title is “Discrimination and Harassment Free Workplace”:
    - The new title provides a better description of the policy.
- The policy was analyzed in the standard review process;
- The revised policy includes new state employment laws that will go into effect on January 1, 2020;
- Changes to the policy include the following:
  - Language was specified for the time and method of notifying employees of their rights;
  - Protection for pregnant employees:
    - Accommodation protections were added.
  - A new statute of limitation for filing a harassment or discrimination complaint;
  - Record keeping related to claims was addressed;
  - Follow-up criteria for complainants following an investigation;
  - A new Workplace Accommodation Notice related to pregnancy and medical issues related to pregnancy:
    - This will be posted in all county departments and given to employees.
- The revisions may impact supervisors and departments:
  - Guidelines around the policy have been incorporated into training practices.
- The Human Resources Department will continue to review the policies and make updates if needed.

***Board discussion:***

- The commissioners expressed their appreciation for staff’s time and efforts to revise and update the policy.

**MOTION:** Commissioner Willis moved to approve an order adopting revised Administrative Policy #602, Discrimination and Harassment Free Workplace Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

*(Video Time 00:13:30)*

3. Consider approval of an order establishing the Marion County Human Resources Department effective July 1, 2020. –Jan Fritz

***Summary of presentation:***

- In 1998, the county consolidated several departments into one department titled “Business Services”;

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- Over the next several years laws and accounting standards changed, requiring some departments to be restructured:
  - In 2006, Finance was separated from Business Services and launched into its own department; and
  - A Chief Financial Officer was hired.
- The county currently has 15 departments with over 1,700 full and part-time employees;
- Evolving law requirements and county demands required changes in human resource practices;
- The board order will establish the Marion County Human Resources Department effective July 1, 2020;
- The technical structure of the new department was implemented into the following:
  - The Oracle database system;
  - Financial records;
  - Accounting records;
  - Budget records; and
  - Human Resources hierarchy.
- A job classification for the Chief Human Resources Officer was created:
  - The county posted a recruitment for the new job position; and
  - Final interviews have been scheduled to fill the position.
- Job responsibilities for the Chief Human Resources Officer will include some of the following:
  - Participating in the budget process; and
  - Transitioning the new department.
- Ms. Fritz encouraged the board to adopt the order establishing the new department.

***Board discussion:***

- Commissioner Brentano stated it is important to raise the status of the county's human resource efforts:
  - It will assist financially and in terms of morale and efficiency.
- Commissioner Cameron stated employees are an important asset for the county; and
- A human resource department will assist with employee support and encourage customer support for the community.

**MOTION:** Commissioner Brentano moved to approve an order establishing the Marion County Human Resources Department effective July 1, 2020. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

*(Video Time 00:19:07)*

**BUSINESS SERVICES**

4. Consider approval of the Contract for Services with Brown and Brown NW in the amount of \$703,694.10 to provide insurance broker and consulting services through December 31, 2024. – Justine Flora

***Summary of presentation:***

- The contract is awarded in two sections:
  - Broker services;
  - Consultant services; and
  - Brown and Brown NW is the current provider for both services.
- The company provides services for some of the following:
  - Property casualty; and
  - Employee benefits, which includes insurance for:
    - Health;
    - Life; and
    - Disability.
- The company employs some of the following:
  - Actuaries to ensure that carrier numbers provided to the county for renewals are sound;
  - Dedicated staff to assist with compliance issues; and
  - Representatives for claim issues:
    - Liability;
    - Property; and
    - Worker's compensation.
- The county submitted a Request For Proposal in June, 2019:
  - Ten written proposals were received and reviewed; and
  - Staff recommends Brown and Brown NW be awarded the contract for both services.

***Board discussion:***

- The proposals that were received all had close price points;
- The final selection was based on the array of services, expertise, and depth of knowledge that the company was able to provide; and
- Brown and Brown NW has a good reputation with public entities:
  - Companies that have experience with public entities stand out; and
  - Their submitted bid was reasonable.

**MOTION:** Commissioner Willis moved to approve the Contract for Services with Brown and Brown NW in the amount of \$703,694.10 to provide insurance broker and consulting services through December 31, 2024. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

*(Video Time 00:26:09)*

DISTRICT ATTORNEY'S OFFICE

5. Consider approval of the retroactive Grant Agreement with the Oregon Department of Justice (DOJ), Crime Victim and Survivor Services Division for funding for the federal Victims of Crime Act and the state Criminal Fines Account in the amount of \$1,354,816.26 through September 30, 2021. –Susana Escobedo and Kathie Beach

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***Summary of presentation:***

- The grant is funded by the federal and state governments;
- The county has six job positions supported by the grant, which include some of the following:
  - Restitution Advocate:
    - Assists with getting financial compensation for victims.
  - Juvenile Program Coordinator:
    - Assists victims of juvenile offenses:
      - Attends court with the victim; and
      - Interprets victims' rights for the individual.
  - Volunteer Coordinator; and
  - Two victim advocates who assist with some of the following :
    - Court appearances;
    - Victims' rights interpretation; and
    - Offering assistance for sexual assault calls.
- The county has one of the largest volunteer programs in the state;
- An estimated 8,500 victims received assistance in 2019; and
- The two year, noncompetitive grant is retro-active:
  - The county has to apply for the grant every two years.

***Board discussion:***

- Contact with the victim is made after a report is received from the following:
  - Law enforcement agencies; and
  - The District Attorney's Office.
- There have been instances where a victim has refused assistance:
  - The individual may be frustrated with the system; and
  - They are given contact information should they decide to reach out in the future.
- Staff generally works with the victim from the start of the case to the end;
- Staff also works with victims who do not have criminal cases;
- The DOJ manages both competitive and noncompetitive grants:
  - Noncompetitive grants can be continued; and
  - The county has the potential to continue receiving the grant if they can demonstrate the following:
    - The grant is being managed correctly; and
    - There is community need.
- An estimated 50 to 55 individuals volunteer and commit to the role for at least one year;
- The volunteers are required to complete between 40 and 90 hours of training depending on their advocacy position; and
- They interact with different organizations, which include the following:
  - The Center for Hope and Safety; and
  - Liberty House.

**MOTION:** Commissioner Brentano moved to approve the retroactive Grant Agreement with the Oregon Department of Justice, Crime Victim and Survivor Services Division for funding for the federal Victims of Crime Act and the state Criminal Fines Account in the amount of \$1,354,816.26 through September 30, 2021. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

*(Video Time 00:38:24)*

### BUSINESS SERVICES

6. Consider approval of the Public Improvement Agreement with Emery and Sons Construction Group, LLC in the amount of \$436,752.50 for the construction of sidewalks and American with Disabilities Act (ADA) ramps at various locations and replace the pedestrian push buttons at one intersection in Marion County. –Lani Ratdke, and Shane Ottosen Jr.

#### ***Summary of presentation:***

- The project entails three different areas located within the following:
  - The City of Salem in the following locations:
    - A portion of Hayesville Drive; and
    - The south side of the intersection of 45<sup>th</sup> Avenue and Silverton Road:
      - A previous grant funded the north side of the intersection; and
      - Completing the south side of the intersection will result in the entire intersection being ADA compliant.
  - The City of Donald in the following location:
    - The Main Street corridor starting at Butteville Road and ending just east of Williams Street.
- Project improvements in the City of Salem will include some of the following:
  - Fill in portions of the sidewalk that contain empty driveway drops to provide a continuous pedestrian path; and
  - Install new pedestrian push buttons at intersections to meet ADA standards.
- Project improvements in the City of Donald will include some of the following:
  - Portions of the sidewalks will be replaced; and
  - Replacing 28 ADA ramps:
    - Roadway surface repairs on Main Street are part of the county's jurisdiction; and
    - The county anticipates resurfacing Main Street in the future, so it is imperative that ADA ramps be replaced before the start of the resurfacing project.
- Funding for the City of Donald project will be provided by:
  - The county will provide the following for the project:
    - Engineering services; and
    - Contract administration.
  - A grant awarded to the city from the Oregon Department of Transportation will contribute \$50,000 for ADA ramps; and
  - The city will fund the construction portion of the sidewalks and ramps.

- The county received seven bids for the project:
  - Submitted bids ranged in price from \$436,000 to \$630,000; and
  - Emery and Sons Construction Group, LLC submitted the lowest bid.
- The project is anticipated to start in January of 2020; and
- Public Works has an estimated completion date of June 30, 2020.

**Board discussion:**

- Commissioner Brentano stated the following:
  - The City of Donald is seeing a high growth rate;
  - The project will benefit the community; and
  - Feedback from community members for the Hayesville Drive project has been positive.
- The City of Donald will fund \$210,000 for the project; and
- The county's portion will come out of the annual sidewalk fund.

**MOTION:** Commissioner Willis moved to approve the Public Improvement Agreement with Emery and Sons Construction Group, LLC in the amount of \$436,752.50 for the construction of sidewalks and American with Disabilities Act (ADA) ramps at various locations and replace the pedestrian push buttons at one intersection in Marion County. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

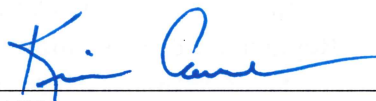
**PUBLIC HEARINGS**

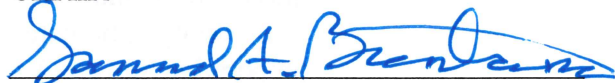
9:30 A.M.

None.

Commissioner Cameron read the calendar.

Commissioner Cameron adjourned the meeting at 10:31 a.m.

  
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 CHAIR

  
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 COMMISSIONER

  
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 COMMISSIONER

**Board Sessions can be viewed on-line at**

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

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