

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, February 19, 2020

10:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Colm Willis, Commissioner Sam Brentano, and Commissioner Kevin Cameron. 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 10:00 a.m.

PUBLIC COMMENT

None.

CONSENT

(Video Time 00:00:45)

BUSINESS SERVICES

Approve the recommendation to increase the pay grade for classification #307, Contracts Specialist; #308, Contracts Specialist Senior; #315, Contracts Compliance Analyst; and #008, Contracts Procurement Manager.

COMMUNITY SERVICES

Approve an order appointing Colleen Busch as a Key Volunteer to the Marion County Fair Board with a term ending December 31, 2022.

TAX OFFICE

Approve an order for a property tax refund in the amount of \$18,448.93 for Shawn G. and Kayla K. Vanhoose.

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

ACTION

(Video Time 00:02:10)

BOARD OF COMMISSIONERS

1. Consider approval of the 2020 Federal Agenda. – Barb Young, Kirby Garrett and Michael Skipper, CFM Advocates

Summary of presentation:

- CFM Advocates represents the county in Washington, D.C. on federal matters;
- They help the county develop the Federal Agenda;
- Since 2007, CFM Advocates has helped the county secure more than \$27 million in federal funding for projects in the area;
- Mill City was awarded the Tiger Grant, which was \$8.1 in funding;
- Marion County was successful in securing two grants from the Bureau of Justice Assistance for funding support to expand the Law Enforcement Assisted Diversion (LEAD) Program;
- The Title III legislative fix helped the county use the funding for patrol services and equipment;
- The establishment of the Continuum of Care in Marion/Polk Counties was an initiative of the commissioners' leadership:
 - CFM Advocates helped the county receive funding from the U.S. Department of Housing and Urban Development (HUD) for the Continuum of Care.
- The focus of the county for this year is infrastructure improvements for the North Santiam Canyon;
- This goes back to the Opal Creek Wilderness Act where the federal government promised \$15 million to the region and was never delivered;
- CFM Advocates and Marion County began a comprehensive coordinated effort to secure economic development and infrastructure funding for the area through competitive grant funding streams;
- The county is focusing on three projects in the canyon:
 - Broadband deployment:
 - The county has completed a Broadband Feasibility Study, which compiled data, tested speeds, and looked at the feasibility of developing the framework in the area; and
 - The plan is for Marion County to assist a broadband service provider in applying for the funds.
 - A new wastewater infrastructure:
 - It will cost \$60 million to build; and
 - CFM Advocates will find as many funding streams as possible at the federal, state, and local levels.
 - Detroit Lake and Kane's Marina Excavation:
 - Seeking \$1 million to extend the boating season at Detroit Lake by excavating under the marinas.
- Interstate 5/Aurora/Donald Interchange Project:
 - Has been on the county's agenda for several years;

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- This is the first year where it can compete for federal funding;
- The project is moving forward:
 - The state has committed \$28 million to the project, but their plan is to do a phase approach:
 - The first phase will be improvements to Interstate 5; and
 - The second phase will be completing the diverting interchange and necessary improvements to the county's arterials.
- Marion County's goal is to secure \$25 million for the project so it can move forward at once to ensure immediate benefits and avoid costly temporary construction; and
- There are two federal grant programs that the county plans to submit applications to.
- The Marion/Polk Continuum of Care (COC):
 - Will be submitting their first application as a COC this year; and
 - Wanting to keep it on the agenda to ensure it stays on HUD's radar.
- 2020 Policy Initiatives:
 - Surface Transportation Reauthorization:
 - The current bill expires at the end of September 2020:
 - Authorizes all of the surface transportation programs across the federal government;
 - Outlines how the money will be spent; and
 - The county would like more options for municipal governments to access federal resources and funding.
 - Detroit Fish Passage:
 - The county is concerned with potential impacts that fish passage construction could have on the following:
 - Local economies;
 - The water supply;
 - Recreation; and
 - Fish and wild life.
 - Willamette River Basin Reallocation Plan:
 - The plan reflects the current and future needs of the county's citizens that use the basin.
 - Secure Rural Schools Reauthorization:
 - CFM Advocates continue to advocate for the following:
 - Funding; and
 - Extending the program:
 - A long term and permanent solution is being sought.
 - Responsible, Sustainable Solutions for Oregon and California Forest Lands:
 - Healthy forest management benefits the following:
 - Mills;
 - Timber communities;
 - Rural communities;

- Improves forest health; and
 - Assist with wild fire prevention.
 - The county is concerned with the Cascade Siskiyou National Monument Expansion.
- Opioid and Methamphetamine Funding:
 - Congress has appropriated limited funding for the issue;
 - Additional federal resources, support, and tools are needed to combat the crisis; and
 - There has been a resurgence of issues with methamphetamine.
- Repeal Inmate and Juvenile Corrections Exception for Federal Health Benefits:
 - Under the current statute, individuals that are arrested or incarcerated lose their federal health benefits;
 - The loss of benefits imposes a financial burden on the county and the Marion County Jail; and
 - Legislation has been introduced that could restore federal health benefits:
 - If approved this will remove the financial burden from counties; and
 - Funding continues to be an obstacle.
- Community Oriented Policing Services (COPS) Technology Funding:
 - Congress eliminated a grant program that provided direct appropriations for the technology; and
 - CFM Advocates is working to have the funding restored.
- Protect Funding Levels for the following:
 - The Economic Development Administration (EDA);
 - The Federal Lands Access Program (FLAP):
 - The county has been able to secure several FLAP grants for road projects in the Santiam Canyon.
 - The Environmental Protection Agency (EPA) Brownfield;
 - Infrastructure For Rebuilding America (INFRA):
 - Pursuing funding for the Donald Interchange Project.
 - Better Utilizing Investments to Leverage Development (BUILD):
 - Seeking funding for the Donald Interchange Project.
 - BYRNE:
 - Named after Edward Byrne, the grant will provide funding for technology and equipment needs for the Sheriff's Office.
- Waste-to-Energy – Recognition as Clean Energy.
- A Bipartisan Budget Agreement has been approved for Fiscal Year (FY) 2021 that sets spending limits;
- The FY 2020 Appropriations expires on September 30, 2020:
 - Congress will need to pass the FY 2021 Appropriations; or
 - Pass a short term continuing resolution.
- In addition, congress will need to address the following:
 - The Transportation Reauthorization:

- It is estimated that the Highway Trust Fund, which is primarily funded by the gas tax, may run out of funds in 2021; and
 - Gas taxes may need to be increased to maintain solvency for the fund.
 - The Water Resources Development Act (WRDA):
 - Authorizes the civil works activities of the U.S. Army Corps of Engineers and outlines their priorities for the upcoming year; and
 - The WRDA is anticipated to pass before the September 30, 2020 deadline.
- Drug pricing reform may be reviewed.

Board discussion:

- The Detroit Lake Marina’s Excavation funding has changed from \$1 million to \$2 million:
 - The lake has different demands on the water and the fish;
 - The recreation economy for the lake has declined over several years;
 - Reductions in water levels have forced early season closures;
 - The excavation will lower the level of the marina allowing the marina to operate when water levels are low;
 - It will extend the boating season back to normal; and
 - Lottery dollars will help fund the project.
- The wastewater/sewer system in the canyon will promote growth in the area; and
- The commissioners appreciate the hard work CFM Advocates do on the behalf of the county.

MOTION: Commissioner Cameron moved to approve the 2020 Federal Agenda and amend the Detroit Lake Marina Excavation from \$1 million to \$2 million. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:41:54)

COMMUNITY SERVICES

2. Consider approval of an order appointing Mark Banick to the Marion County Fair Board with a term ending December 31, 2022. –Tamra Goettsch, Mike Adams, and Mark Banick

Summary of presentation:

- The county fair has been in existence for an estimated 160 years;
- The fair is held every year in July and showcases the agricultural community;
- Oregon statute limits the fair board to seven members:
 - There are no appointment limitations for the position of Key Volunteer to the fair board.
- The board assists with producing and implementing the county fair;
- A fair board position opened up on January 1, 2020, and applications were accepted;
- Multiple volunteers are needed each year to implement the fair;
- Mr. Banick’s history as a volunteer includes some of the following:
 - Fireman for the City of Keizer;

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- Bank supervisor for a local credit union;
- Work at his church; and
- Assisting people with disabilities.
- Mr. Banick served as a radio operator for four years on Air Force One for two United States Presidents; and
- He is recently retired.

Board discussion:

- The commissioners expressed their appreciation to Mr. Banick for his willingness to serve on the fair board.

MOTION: Commissioner Brentano moved to approve an order appointing Mark Banick to the Marion County Fair Board with a term ending December 31, 2022. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:50:26)

PUBLIC WORKS

3. Consider adoption of an administrative ordinance granting Zone Change/ Comprehensive Plan/Subdivision (ZC/CP/SUB) Case #18-002/Christ Good Shepherd Lutheran Church. –Joe Fennimore

Summary of presentation:

- The original application requested to change the zone on a 3.4 acre portion of the property for apartment structures:
 - The applicant modified the request to change the zone on a 1.76 acre parcel.
- The modified application is for the following:
 - To change the Comprehensive Plan designation and Zone from Single Family Residential to Multiple Family Residential on approximately 1.76 acres of a six acre parcel; and
 - Subdivide the six acres into twelve lots:
 - Ten lots will be zoned as Single Family Residential and developed with single family homes;
 - One lot will contain the existing church buildings; and
 - One lot will be developed with apartments.
- The hearings officer conducted a public hearing on May 1, 2019:
 - A recommendation was issued on October 10, 2019, to deny the request based on the existing record at that time.
- The board held a public hearing on January 8, 2020, and approved the request subject to conditions;
- Ten of the conditions apply to the subdivision and include some of the following:
 - A right-of-way dedication along public streets; and
 - Frontage improvements.

- Nine of the conditions apply to the development of the apartments and include one of the following:
 - Construction of a west bound turn lane prior to apartment occupancy.
- The notice of adoption was given on February 12, 2020;
- The ordinance is set for formal adoption;
- The board has the following options:
 - Adopt the ordinance as written;
 - Direct staff to prepare a modified ordinance; or
 - Choose not to adopt the ordinance at this time.
- Staff recommends the board adopt the ordinance as written.

Board discussion:

- The hearings officer conducted two public hearings for the application:
 - The first public hearing pertained to the request to change the zone on a 3.4 acre portion of the property; and
 - The second public hearing pertained to the modified request to change the zone on a 1.76 acre portion of the property.
- The application request has been in effect for approximately two years.

MOTION: Commissioner Cameron moved to approve an administrative ordinance granting Zone Change/ Comprehensive Plan/Subdivision (ZC/CP/SUB) Case #18-002/Christ Good Shepherd Lutheran Church. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:53:58)

4. Consider approval of Amendment #1 to the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation to add \$118,000 for a total of \$706,000 for the Lancaster Drive/Macleay Road traffic signal upgrade through August 26, 2026. –Lani Radtke

Summary of presentation:

- Construction has already started on Lancaster Drive at Macleay Road;
- The project entails the following:
 - Replacing the outdated traffic signals;
 - Constructing new Americans with Disabilities Act (ADA) facilities;
 - Widening the west bound lanes to accommodate a bike lane;
 - Increasing the northeast corner radius to improve truck turning movements; and
 - Improving the storm water system.
- The project exceeded the original estimate;
- Federal funding provided an additional \$118,000 for the project; and
- Amendment #1, if approved, will allow the county to accept the additional \$118,000 funding.

Board discussion:

- Construction completion for the project is estimated to be June 30, 2020; and
- The IGA requires the county to maintain the updates until the year 2030.

MOTION: Commissioner Brentano moved to approve Amendment #1 to the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation to add \$118,000 for a total of \$706,000 for the Lancaster Drive/Macleay Road traffic signal upgrade through August 26, 2026. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:57:51)

5. Consider approval of the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation in the amount of \$191,000 for urban bicycle and Americans with Disabilities Act (ADA) compliant pedestrian facilities along Connecticut Avenue from Macleay Road to Rickey Street through February 19, 2030. –Lani Radtke

Summary of presentation:

- The project is located on Connecticut Avenue from Macleay Road to Rickey Street;
- Existing conditions include the following:
 - Missing sections of sidewalks; and
 - Substandard bike lanes.
- The project entails the following:
 - Constructing missing sidewalk sections;
 - Widening the west bound lanes to accommodate a bike lane;
 - Replacing ADA sidewalk ramps;
 - Upgrading the concrete refuge island at the intersection of Macleay Road and Connecticut Avenue; and
 - Constructing stormwater improvements.
- The IGA will provide \$191,000 in funding for preliminary engineering; and
- Public Works anticipates returning in the future for right-of-way and construction approval.

Board discussion:

- Commissioner Brentano stated ADA accessibility is an important issue; and
- It is also important to address traffic needs.

MOTION: Commissioner Cameron moved to approve the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation in the amount of \$191,000 for urban bicycle and Americans with Disabilities Act (ADA) compliant pedestrian facilities along Connecticut Avenue from Macleay Road to Rickey Street through February 19, 2030. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 01:01:17)

6. Consider approval of the Standard Professional Services Contract with Quincy Engineering, Inc. in the amount of \$812,059.66 for architect and engineering services for the Lancaster Drive: Center Street to Monroe Avenue Improvement Project through December 31, 2021. –Lani Radtke

Summary of presentation:

- The project is located on Lancaster Drive between Center Street and Monroe Avenue:
 - It is approximately a half of a mile in length and includes the following:
 - Multiple commercial driveways; and
 - Cross slopes that make accessing driveways challenging.
- Work on the project includes the following:
 - Reviewing access management;
 - Implementing a pedestrian study to determine pedestrian activity:
 - Will help to assess if a beacon is needed for pedestrian crossings.
 - Rehabilitating the pavement and the cross slopes to improve driveway access;
 - Replace the traffic signal at the intersection of Lancaster Drive and Auburn Road;
 - Adding a turn lane on Auburn Road;
 - Improving the following:
 - Sidewalks;
 - ADA curb ramps;
 - Driveways; and
 - Stormwater drainage.
- The contract is estimated at \$812,059.66;
- Quincy Engineering, Inc. is the selected consultant for the project; and
- The consultant will provide some of the following:
 - Project design;
 - Right-of-way services;
 - Plan specifications;
 - Estimates;
 - Assistance getting to the bid process; and
 - Assistance with the award process.

Board discussion:

- It is estimated that four traffic signals are located in the proposed work area;
- Additional pedestrian crossings are being reviewed to determine ideal locations:
 - Crossings can improve safety and efficiencies on Lancaster Drive; and
 - Too many crossings or incorrect spacing can cause issues.
- Beacons are being reviewed as an effective tool to get motorists to yield to pedestrians;
- Commissioner Brentano stated there have been multiple requests for more pedestrian crossings; and
- There needs to be a balance between pedestrian crossings and moving traffic.

MOTION: Commissioner Brentano moved to approve the Standard Professional Services Contract with Quincy Engineering, Inc. in the amount of \$812,059.66 for architect and engineering services for the Lancaster Drive: Center Street to Monroe Avenue Improvement Project through December 31, 2021. Seconded by Commissioner Willis; motion passes 2-1 with Commissioner Cameron absent for the vote.

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

None.

Commissioner Willis read the calendar.
Commissioner Willis adjourned the meeting at 11:15 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

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