

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, February 9, 2022
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

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

ABSENT: Jan Fritz, chief administrative officer

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

PUBLIC COMMENT

(Video Time 00:00:51)

None.

PRESENTATION

(Video Time 00:00:59)

1. Wildfire recovery update. –Chris Eppley

Summary of presentation:

- It has been 17 months since the wildfires;
- An estimated 45 percent of homes needing repair or replacement have been issued dwelling permits:
 - 35 dwelling permits have been issued in the City of Gates in Marion County;
 - 9 dwelling permits have been issued in the City of Gates in Linn County; and
 - 82 dwelling permits have been issued in the City of Detroit.
- An estimated 59 percent of homes needing repair or replacement have been issued septic permits:
 - It is unclear how or when the permits will be utilized by the property owners:
 - Some individuals may not rebuild;
 - Some individuals may use the property differently than previously utilized before the fire;
 - Some individuals may choose to rebuild over time or later; and
 - Some individuals may sell the property and not rebuild.

- The Oregon Department of Transportation (ODOT) is almost done with their cleanup efforts within Marion County:
 - Residential property cleanup is complete; and
 - An estimated 90 percent of hazardous trees have been removed.
- Following are updates on county led recovery projects:
 - Housing projects:
 - Evans Haven project in the City of Gates:
 - The land use application for 16 tiny homes has been approved; and
 - The septic system permits have been submitted to the Department of Environmental Quality (DEQ):
 - Waiting on the issuance of the Land Use Compatibility Statement before the project can move forward.
 - North Santiam State Park:
 - The contracts for due diligence have been finalized; and
 - The sighting of 16 tiny homes is underway:
 - The original plan was to have cabins at this site, but state regulations call for fewer permanent structures.
 - Septic repair and replacement projects:
 - The county is working on developing a septic replacement program:
 - An estimated \$10 million in funding will be available.
 - A community septic system for downtown Detroit is being considered:
 - The project will entail two phases:
 - The downtown area may have a community system where businesses can connect directly to the system;
 - Any future businesses will also have this option of connecting directly into the system; and
 - Funding will also be available for residential septic reconstruction or replacement.
 - The state is providing \$15 million for a statewide septic repair and replacement program:
 - The DEQ is developing the program;
 - Funding will be through competitive grants; and
 - It is possible the county will not be involved in administering the funds.
- Long Term Recovery Group (LTRG) and Santiam Service Integration Team (SIT) project updates:
 - 1,196 households were served in 2021:
 - 29 households have been successfully relocated or rebuilt; and
 - 226 homeowners and 116 renters are in active case management.
 - Working on developing a greater presence on all social media platforms:
 - Developing a podcast that will be used to get the latest information to survivors.
 - Coordinating housing construction activities:

- Seven houses are being built through the Christian Aid Ministries program; and
 - An additional ten houses will be built next year.
 - The Santiam Canyon Wildfire Relief Fund has collected almost \$4 million to date:
 - The funds have been distributed to wildfire affected families.
- SIT was the first support agency in the state to have their state funding extended through June 2023:
 - SIT received an additional \$1.8 million in funding.
- Five new Mid-Willamette Valley Community Action Agency personnel have started in Sublimity to support survivors:
 - Two housing navigators;
 - Two case managers;
 - A team lead; and
 - Potentially a support person.
- Over \$43,000 in construction materials has been donated to assist with rebuilding efforts:
 - Donations include toilets, doors, cabinets, light fixtures, and other items; and
 - The donations are being coordinated through the LTRG.
- The Mid-Willamette Valley Habitat for Humanity is starting a Ramps and Rails program that will build handicap ramps and rails for survivors' homes that need this amenity;
- There are still a lot of unmet needs that need to be addressed:
 - Access, clothing, employment, Federal Emergency Management Agency (FEMA) advocacy, and others; and
 - Housing needs in the canyon still exist:
 - 53 of the 85 housing cases being managed are for reconstruction and permanent location:
 - The count is for individuals that would like to get back onto properties and into structures that were damaged or destroyed.
 - 32 of the 85 housing cases are seeking to be relocated out of the area.
- Mr. Eppley distributed an updated data document to the commissioners that provided the following information:
 - The number of final permits for construction are being tracked:
 - Detroit has 82 building permits issued:
 - Ten of the issued permits have been completed; and
 - The remaining building permits are either in the construction phase or have not started construction.
 - The assessed property values for completed properties is higher than it was before the fire:
 - Communities are building out at a higher assessed value;
 - This will help the communities with resources and the ability to function independently in the future;
 - It is unknown if the homes are vacation homes or homes for individuals living permanently in the community; and

- The homes being built are at a higher level than the homes that were lost in the wildfires.
 - The map that was presented shows the properties in the City of Detroit that were lost during the wildfires:
 - A future map will include other cities and surrounding areas where homes were lost in the wildfires.

Board discussion:

- There may be local resources available for property owners impacted by the wildfires who are repairing or rebuilding:
 - The board's office is exploring opportunities that can potentially connect property owners with these resources.
- Housing is the biggest individual need for wildfire victims:
 - One third of the victims want to relocate out of the area following the wildfire; and
 - There are individuals who were required to relocate because of the wildfires.
- Commissioner Bethell inquired about the possibility of separating the Lost Properties Map so that there are two maps:
 - One that is just for commercial properties; and
 - One that is just for residential properties.
- Wildfire survivors are encouraged to attend a meeting being held by the Legislature's Wildfire Recovery Committee on February 15, 2022:
 - Survivors will be able to testify to the legislature.
- DEQ has approved the permits for the City of Gates project.

(Video Time 00:20:29)

2. East Salem Housing. –Brandon Reich

Summary of presentation:

- The Public Works Planning Division is hosting a meeting on March 3, 2022, to hear from East Salem residents on ideas they may have about housing;
- Housing in the area is currently very expensive for both homeowners and renters;
- The county has an option to add to the zone code to allow for additional types of housing which can include:
 - Single-family homes;
 - Apartments; and
 - Middle housing.
- Due to recent legislation, the City of Salem is required to go through the housing process to consider what type of housing is needed for each zone:
 - Marion County is not required to go through the housing process because the county's jurisdiction is outside of the city; but
 - The county also has opportunity to look at housing options that may be good for our area.

- Middle housing entails the following:
 - It is familiar and it is what we are currently seeing in our communities;
 - It is more affordable for individuals working in our communities that also want to live in our communities:
 - This can include the following:
 - Current neighbors;
 - New home buyers coming to the area;
 - Individuals that are retiring to the area; and
 - Individuals that are interested in middle housing as a source of additional income.
 - It provides options that work for the county and its communities.
- Middle housing does not entail the following:
 - It is not rezoning land;
 - It is not reducing single family home lot sizes;
 - It is not apartments which is covered under other zoning;
 - It is not mandated housing; and
 - It does not require existing homes be torn down.
- Following are examples of middle housing:
 - Accessory dwelling units:
 - One smaller unit can be added to a property that already has a primary home.
 - Duplexes;
 - Triplexes;
 - Fourplexes;
 - Attached row homes;
 - Townhomes; and
 - Cottage clusters.
- At the meeting the Planning Division will be asking residents the following two questions:
 - What type of housing have residents seen that works; and
 - What type of housing would residents like to see?
- A survey is being developed and is anticipated to be available before the March 3, 2022, public meeting;
- The public is welcome to provide input on this issue to the Public Works Planning Division; and
- Social media and a press release advertising the event will be released soon; and
- Public members will have the option to attend the meeting in person or via Zoom.

Board discussion:

- The recently passed legislation is based on populations of 10,000 or more and is only for the following cities in Marion County:
 - Salem;

- Woodburn; and
- Keizer:
 - It is unclear if cities that experience growth in the future of over 10,000 residents will qualify for participation; and
 - The Oregon Department of Land Conservation and Development (DLCDC) performs a review every three to four years and can add cities that have grown to the list.
- Receiving input from the community will help ensure that the direction taken is good for the neighborhoods in East Salem;
- Solutions will be developed that are right for Marion County;
- The survey will be advertised, and it will be available for at least two weeks;
- The commissioners expressed their appreciation to staff for the approach they are taking with middle housing in the area;
- Community based forums are anticipated in the upcoming weeks; and
- County citizens are encouraged to engage in the forums for conversation and feedback.

(Video Time 00:29:20)

CONSENT

BOARD OF COMMISSIONERS

Board Committee Appointments

Budget Committee

3. Approve an order reappointing Dave Kinney to the Marion County Budget Committee with a term ending June 30, 2024.

PUBLIC WORKS

4. Approve an order delegating the authority of the planning director and zoning administrator to the Marion County Public Works Director in the event of a conflict of interest.

TAX OFFICE

5. Approve an order for a property tax refund in the amount of \$15,037.14 for Holleman Properties, LLC.

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

(Video Time 00:30:13)

ACTION

HEALTH AND HUMAN SERVICES

6. Consider approval of the incoming funds One-time Funding Agreement with PacificSource Community Solutions in the amount of \$500,000 towards the purchase of real property for the His Place program. –Ryan Matthews

Summary of presentation:

- Marion County currently operates a residential facility known as Her Place;
- Her Place is for mothers receiving addiction treatment services;
- Her Place allows mothers to receive needed services in a supportive environment where they can maintain custody of their children:
 - This helps to keep children out of the child welfare system.
- Her Place offers mothers a safe space to live while maintaining custody of their children:
 - The children will be onsite; and
 - Daycare will be available when needed.
- The county currently does not have a similar facility available for fathers encountering the same issues;
- Her Place has been very successful for decades;
- His Place will be modeled after Her Place, but will be for fathers receiving addiction treatment services;
- Historically the county has not been able to fund the addition of a His Place; and
- PacificSource is generously putting \$500,000 towards the purchase of a home that will operate a His Place program:
 - A contingent offer has been made on a residence; and
 - Staff is addressing logistic concerns related to zoning and well water.

Board discussion:

- The His Place program is a good opportunity for the community;
- PacificSource Community Solutions is providing strategic investments that offers communities the support that they need and want;
- The county strives to take care of communities and identify and provide residents with necessary supports so that they can excel;
- It is important for children to remain with their parents whenever possible; and
- The His Place program provides an opportunity for families to stay together.

MOTION: Commissioner Cameron moved to approve the incoming funds One-time Funding Agreement with PacificSource Community Solutions in the amount of \$500,000 towards the purchase of real property for the His Place program. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:37:37)

7. Consider approval of the incoming funds Intragovernmental Agreement with the Oregon Health Authority in the amount of \$11,958,286.98 for the financing of community mental health services retroactive to January 1, 2022, through December 31, 2022. –Ryan Matthews

Summary of presentation:

- The Intergovernmental Agreement (IGA) is for community mental health services that includes addiction services;
- The funding is for the following individuals:
 - Individuals who are not enrolled in Medicaid; and
 - Individuals that may have private insurance that does not allow for the following:
 - A mental health benefit;
 - An addiction benefit;
 - A benefit that may be underfunded; or
 - Individuals who are indigent, without resources, and that need services.
- The agreement primarily funds the following critical community services:
 - Adult mental health services;
 - Addiction treatment services;
 - Community crisis services which may include:
 - Mobile crisis; and
 - Jail diversion teams.
 - The Her Place program; and
 - Other specialty services:
 - Supported employment;
 - Assertive Community Treatment (ACT); and
 - The Early Assessment and Support Alliance (EASA).
- The agreement funds a population that does not have resources:
 - It helps to fill the budget gap that Medicaid and other private insurance carriers do not provide coverage for.

Board discussion:

None.

MOTION: Commissioner Willis moved to approve the incoming funds Intragovernmental Agreement with the Oregon Health Authority in the amount of \$11,958,286.98 for the financing of community mental health services retroactive to January 1, 2022, through December 31, 2022. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:41:33)

HUMAN RESOURCES

8. Consider approval of an ordinance amending Marion County Code 2.25 and adopting a temporary addendum to Marion County Personnel Rules by emergency procedure, allowing department heads to authorize telecommuting for employees whose work may be performed remotely during the State of Oregon declared emergency related to novel Coronavirus COVID-19. –Salvador Llerenas

Summary of presentation:

- The request is for approval of an ordinance that temporarily amends the county's personnel rules;
- The ordinance would give county employees the option to work remotely with their supervisor's approval;
- An agreement was recently reached with one of the labor organizations that provides temporary telecommuting opportunities for the organization's members;
- Adoption of the ordinance will allow the same telecommuting opportunities to all eligible county employees;
- The temporary policy mirrors an agreement that was previously approved by the board; and
- Staff is requesting the ordinance be adopted by emergency procedure so the policy can go into effect immediately.

Board discussion:

None.

MOTION: Commissioner Cameron moved that the chair read the ordinance by title only twice. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

Commissioner Bethell read the ordinance by title only twice.

MOTION: Commissioner Cameron moved to approve an ordinance amending Marion County Code 2.25 and adopting a temporary addendum to Marion County Personnel Rules by emergency procedure, allowing departments heads to authorize telecommuting for employees whose work may be performed remotely during the State of Oregon declared emergency related to novel Coronavirus COVID-19. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:45:01)

PUBLIC WORKS

9. Consider approval of a resolution to initiate amendments updating Marion County Code Chapters 16 and 17 and direct the Marion County Planning Commission to hold a public hearing on the matter to make a recommendation to the board. –Brandon Reich

Summary of presentation:

- The county strives to keep codes up to date with changes in state law;
- Some code updates are optional and do not require adoption:
 - The county must consider whether to adopt the changes; and
 - Determine how the code changes will be adopted utilizing one of the following options:
 - Change the criteria; or
 - Make the code specific to Marion County.
- There have been changes to statute in the 2019 and 2021 legislatures:
 - The Department of Land Conservation and Development made amendments to rules in relation to the statute changes:
 - The amendments should be incorporated into the county code to keep it up to date.
- Staff is also proposing to clarify amendments consistent with state law, and to correct some scrivener's errors;
- During the process the public, neighborhoods, and associations are invited to provide ideas for amendments to the urban and rural zone code:
 - Suggestions will be considered during the process; and
 - They can be incorporated into the planning commission's recommendation.
- If the resolution is approved staff will take the amendments to the planning commission to perform the following, before bringing recommendations to the board:
 - One or more work session meetings;
 - At least one public hearing; and
 - A work session with the board and the planning commission.
- The resolution initiates the process for the board to consider amendments to the code, and directs the planning commission to hold a hearing on the matter; and
- Staff recommends that the resolution be approved as provided.

Board discussion:

- The board requested that work sessions be set up to address concerns with some of the staff recommendations;
- The commissioners would like to be involved in developing the recommendations:
 - In the past the board has been heavily involved with the following:
 - Modifications;
 - Contributing ideas; and
 - Drafting language.
- The process may take six to eight months, or longer;

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- Staff works to clarify what is statutorily required and what is optional:
 - This can entail some of the following:
 - Determine what the county’s options are;
 - The board may request a change that they feel is important;
 - Determine if options can be expanded; and
 - Ensure language for the code is correct.
- Ms. Vetto expressed she will inquire further to determine if a conversation between one Marion County commissioner and one planning commissioner is allowed:
 - The planning commission makes recommendations to the board;
 - The board may accept or deny the recommendations; and
 - It is better to follow the normal process of the board receiving the information as a unit.
- The planning commission has a good understanding of what can impact rural areas:
 - Code adoption can impact communities and rural areas;
 - Commission members are engaged in each item they review;
 - The commission members have good recommendations for the board; and
 - A future joint meeting between the board and the planning commission may be an option.
- It is important to find solutions that work for Marion County in the areas where it is not required to adopt state regulations;
- The board does not want to circumvent the planning commission’s procedures and processes;
- The public is notified of planning commission meetings:
 - Meetings are not currently televised but may be a possibility in the future.
- Commissioner Bethell requested the following:
 - That planning commission meetings be recorded and posted; and
 - Public members be provided options to actively engage in a meeting during a public comment phase.

MOTION: Commissioner Willis moved to approve a resolution to initiate amendments updating Marion County Code Chapters 16 and 17 and direct the Marion County Planning Commission to hold a public hearing on the matter to make a recommendation to the board. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:54:54)

PUBLIC HEARINGS
9:30 A.M.

BOARD OF COMMISSIONERS

A. Public hearing to consider a proposed substantial amendment to the 2021-2022 Annual Action Plan. –Chris Eppley and Tim Glisson

Summary of presentation:

- On August 11, 2021, the Fiscal Year 2021-2022 Annual Action Plan (AAP) was submitted to the United States Department of Housing and Urban Development (HUD);
- On December 1, 2021, Marion County received approval of the AAP in conjunction with the consolidated plan;
- The county was granted an extension to the first AAP due to the natural disasters the county faced during the county qualification period and during the creation of the consolidated plan;
- Every AAP is required to be submitted to HUD by May 15th of each year;
- Every year the AAP must be publicly noticed with a 30-day comment period and a public hearing;
- Per the Marion County Citizen Participation Plan if any of the following six items occur a substantial amendment is triggered and requires notification of a 30-day comment period and a public hearing:
 - An activity described in the AAP is cancelled;
 - A new activity not described in the AAP is planned;
 - The location of an activity described in the AAP is changed so that it is in a different service area than originally described.
 - The beneficiaries of an activity described in the AAP are changed so that the predominant group of beneficiaries is different than those which were described;
 - The purpose or scope of work of an activity described in the AAP are changed in essential, important, or significant ways from those described, as determined by the Board of Commissioners; or
 - The purpose or scope of the activity described in the AAP is changed such that the budget of the project is increased by at least \$25,000 and more than 25 percent of the original activity budget.
- No written comments were received from the public during the 30-day comment period;
- This is a public hearing:
 - Gathering additional comments from the public; and
 - No decision is to be made today.
- The proposed substantial amendment includes the following:
 - Elimination of the following projects:
 - Community infrastructure improvements for \$414,773;
 - Boys and Girls Club Northeast Lancaster clubhouse for \$250,000;

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- AWARE Food Bank support for \$50,000;
 - Family Building Blocks for \$100,000; and
 - Affordable housing development for \$465, 843.
 - Reduce funding for the following projects:
 - CHDO set-aside for \$18,170; and
 - AWARE Food Bank support for \$50,000.
 - Add the following new activities:
 - Homebuyer activity, down payment assistance for \$484,013; and
 - Owner rehabilitation for \$814,778.
- Following is the breakdown of the final proposed 2021-2022 Community Development Block Grant (CDBG) budget of \$1,561,194:
 - Neighbors Serving Unsheltered Neighbors Food Bank support for \$50,000;
 - Center for Hope and Safety for \$250,000;
 - Owner rehabilitation for \$946,956; and
 - Administration for \$312,238.
- Following is the breakdown of the final proposed 2021-2022 HOME Investment Partnerships Program (HOME) budget of \$621,125:
 - CHDO set-aside for \$75,000;
 - Down payment assistance for \$483,013; and
 - Administration for \$62,112.

Board discussion:

- No one signed up for public comment;
- There is currently no testimony in support or opposition of the proposal;
- The original budget contained \$100,000 combined support for the AWARE Food Bank and the Neighbors Serving Unsheltered Neighbors Food Bank:
 - \$50,000 support for the AWARE Food Bank is being eliminated; and
 - \$50,000 support for the Neighbors Serving Unsheltered Neighbors Food Bank is staying in the budget.
- In the recent Board of Commissioners American Rescue Plan Act allocation \$500,000 was allocated to the AWARE Food Bank.

Commissioner Bethell closed the public hearing.

(Video Time 01:02:23)

Commissioner Bethell read the calendar;
Commissioner Bethell adjourned the meeting at 10:06 a.m.



CHAIR


COMMISSIONER


COMMISSIONER

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