



MARION COUNTY BOARD OF COMMISSIONERS

Management Update Minutes

Tuesday, March 9, 2021, 9:30 a.m.

Courthouse Square, 555 Court St. NE, Salem
5th Floor, Suite 5231, Commissioners Boardroom

ATTENDANCE:

Commissioners Kevin Cameron, Danielle Bethell, and Colm Willis, Jan Fritz, Jane Vetto, Jeff White, Michelle Shelton, Nick Hunter, Scott Norris, Colleen Coons-Chaffins, Tamra Goettsch, Brandon Nicholas, Lani Radtke, Brian May, Brandon Reich, Kathleen Silva, Jason Schneider, Danielle Gonzalez, Jen Johnson, Krista Ulm, Eric Anderson, Chris Trussell, Tom Kissinger, Kyle Wonderly, Justine Flora, Barb Young, Lisa Trauernicht, Matt Lawyer, Jessica Stanton, Jolene Kelley, Chad Ball, and Kristy Witherell as recorder.

GUESTS:

Peter Olson, Keller and Associates
McRae Carmichael, Mid-Willamette Valley Council of Governments

Jan Fritz called the meeting to order at 9:30 a.m.

INFORMATIONAL:

Review Economic Development Fiscal Year 2021-22 Adjustments for Brooks Hopmere Priorities

- Jason Schneider

Summary of presentation:

- In February 2021, there was a work session to discuss budget priorities;
- There was a work session afterwards to discuss Brooks-Hopmere Community Plan where it was identified that the commissioners were very interested in a water and wastewater feasibility study:
 - There have been a few adjustments made to the budget to account for the \$200,000 to go towards Brooks-Hopmere; and
 - That will be a total of \$300,000 budgeted for this area in the next fiscal year;
 - The additional \$200,000 is coming from the following:
 - \$150,000 from Beachie Creek Fire Response; and
 - \$50,000 under Administrative Funds.

Board discussion:

- Ms. Goettsch suggested discussing this topic more in depth at the March 25th Economic Development Update Work Session.

North Santiam Sewer Authority Update

- Danielle Gonzalez

Summary of presentation:

- The North Santiam Sewer Authority was officially formed by an ORS 190 agreement in May 2020;
- In the agreement, two members are selected by the city councils by each of the cities in the canyon:
 - Mill City;
 - Gates;
 - Idanha; and
 - Detroit.
- In the middle of setting up a new government:
 - Drafting policies and procedures; and
 - Required compliance as a governmental entity.
- Had a meeting with stakeholders in December 2020:
 - City of Salem and a few other partners; and
 - Explaining barriers that the group is facing.
- In February 2021, Department of Environmental Quality (DEQ) met with Peter Olson to get an opinion on how to obtain a permit for the project:
 - If the project doesn't get the necessary permits, the project cannot go on.
- Had an engineering town hall on February 24th via zoom:
 - Able to summarize where the project is at;
 - In the middle of the master planning portion of the project;
 - Collected data at the city;
 - Completed infiltration testing for potential alternative disposal methods;
 - Established planning criteria;
 - Looked at Mill City's existing system capacity and conditions;
 - Developing the potential collection system layout:
 - Both for gravity and step system.
 - Looked at potential treatment sites;
 - Developing lifecycle analysis of both treatment, disposal, and collection systems:
 - Operations;
 - Maintenance; and
 - Replacement.
 - The financial sub-consultant is working on the Mill City system evaluation:
 - Making recommendations on what it will look like to transfer their city system to the sewer authority.
 - Looking at the Three Basin Rule:
 - Having discussions with different stakeholders for permitting:
 - City of Salem; and
 - DEQ.
- A City of Salem representative is on the Sewer Advisory Group:
 - Keller and Associates is sitting down with the group regularly, as well as DEQ.

- Three Basin Rule Challenge for this project:
 - There are three basins in the state:
 - Clackamas River;
 - North Santiam River; and
 - Mackenzie River.
 - Above a certain point in those rivers, there cannot be a surface discharge of wastewater affluent:
 - Treated wastewater cannot be discharged directly to those rivers similarly to how it's done throughout the state.
 - The North Santiam River affects the City of Stayton:
 - They had an existing system prior to the Three Basin Rule.
 - The only other option would be similar to Mill City's system, which is a simple treatment process and a glorified drain field, similar to what would be seen on an individual's property;
 - Looking at other possibilities of infiltration throughout the canyon community:
 - Conducted testing in representative properties throughout the Cities of Gates, Mill City, Detroit, and Idanha;
 - In the Cities of Gates and Mill City, that infiltration as a disposal method is promising:
 - Can work within the Three Basin Rule.
 - The Detroit/Idanha area soil and topography, with the narrow canyon and steep slopes, poses a bigger challenge to have a disposal system that works within the Three Basin Rule:
 - There is very good infiltration at the valley floor, but it would be considered to have a direct connection with North Santiam River, which would be considered a direct discharge, and not compliant with the Three Basin Rule;
 - Options become limited with lagoon storage:
 - Transporting wastewater down to the Gates/Mill City area;
 - A pipe can be built from Detroit/Idanha down to Gates/Mill City, but keeping the highway open could be difficult:
 - There are landslides and rock;
 - Some of the pipes may have to be above ground;
 - The pipe would have to wrap around the lake, which would be devastating for the lake if there was a leak; and
 - It would be very expensive to build.
 - The initial estimate for this project was \$97 million:
 - Some of the project has been cut back.

Board discussion:

- The City of Salem mayor is not in the loop with what is going on, commissioners are asking for communication with the mayor and City Council;

- The masterplan will be finalized by this summer;
- Mr. Olson does not see compliance of the Three Basin Rule in the Detroit/Idanha area:
 - The commissioners would like a work session for further discussion.
- Ms. Gonzalez believes that there is a pathway for getting the sewer system up to the Detroit/Idanha area.

Oregon OSHA COVID-19 Temporary/Permanent Rules Update

- Justine Flora

Summary of presentation:

- OSHA's temporary rules are expiring in May;
- The county's policy is open ended, so when it is no longer needed the board can rescind the policy;
- OSHA is proposing to turn the temporary rules into permanent rules:
 - They are stating that they will rescind the rules when they are no longer needed.
- Ms. Flora has been attending the hearings that OSHA has been holding:
 - They are open for public comment until April 4th.
- A lot of the public comments that are coming in are around the lack of trust towards OSHA to rescind the rules when they are no longer needed:
 - There is a lot of challenge against facial covering.
- There is a challenge of compliance in the office:
 - OSHA is directly pointing to the Oregon Health Authority guidelines; and
 - They are strengthening the language around using just a face shield.

Board discussion:

- The commissioners wanted employees to come to work if it was safe:
 - Following guidelines.
- Employees that work in cubicles do not have the luxury to remove their masks that employees what work in offices do:
 - The commissioners do not like the double standard;
 - Would like to revisit the private workspace area in the policy; and
 - A lot of employees that work in cubes are more than six feet apart from their coworkers.
- The commissioners would like to write a letter in opposition due to the Center for Disease Control guidelines being updated regularly;
- At the AOC Governance Committee, it was stated that OSHA only had one opportunity to renew the temporary guidelines:
 - After that they will be expired; or
 - They can make them permanent rule.
- Employees that cannot wear masks or a face shield are going through the ADA process;
- Plexiglass is in short supply, so extending cubicles would not be possible:
 - The county does not have cubicle doors and the vendor is in short supply.

Discuss North Fork Road Corridor Management Plan – Phase 1

- Brian Nicholas, Lani Radtke, Brian May, Thomas Kissinger, Eric Anderson

Summary of presentation:

- The plan was to move ahead with the board's approval of closing North Fork Road corridor;
- There is a work session scheduled this week for a more in-depth discussion;
- A couple of weekends ago, there were issues with people exploring North Fork Road, so Public Works decided to take a phased approach to prioritize efforts immediately;
- The first phase of the project will include identifying the restrictions:
 - Posting signs, which will require a board order.
- A board order has been drafted that will identify four different restrictions:
 - No unauthorized access:
 - Only property owners, guests, and agents of property owners are authorized.
 - No pedestrians or bicyclists;
 - No public river access; and
 - No parking throughout the entire corridor.
- The provisions in the ordinance would make it a Class D violation driving up the road unauthorized, which is a \$250 fine:
 - There is not a safety corridor sanction in state law to double the fine.
- Needing to get the message out that the area will be closed to the public for recreational use;
- The order is set for board approval at tomorrow's Board Session;
- The board has statutory authority over county roads;
- Some type of gate or restrictive barrier will be needed in order to keep non-residents out of the area:
 - This will help the Sheriff's Office with not having to dedicate resources to the area.
- The ordinance will bridge a gap between the county, Bureau of Land Management, and Oregon Department of Forest;
- The signs will be placed every half-mile up North Fork Road;
- Public Works will continue to work with the Sheriff's Office to help identify the most popular spaces for parking for additional signage;
- Public Works will prioritize putting up the entry signs up first and then filling in the corridor with the signs;
- The Sheriff's Office is working with the state to look at the hazard of the river;
- Phase two of the project will add three gates to entryways of the corridor:
 - Will need to do special procurements in order to get these in place before the recreational season;
 - The system will be a card or code system;
 - It will have a turnaround area;
 - Need to have illumination over the gate;
 - Warning signs; and
 - The rough estimate is \$150,000 for the signs and \$150,000 for the gates.

- Public Works has enough direction for phase two that the work session scheduled for this Thursday can be canceled.

Ice Storm/Beachie Creek/COVID-19 Update

-All

Summary of presentation:

- Tamra Goettsch:
 - Housing is still an issue;
 - The Kitchen on Court Street is receiving funding from the state to provide food for the wildfire survivors that are in hotels;
 - The SIT team is overwhelmed with cases that they are handling:
 - Unsure of how many are being filtered through FEMA.
- Brian Nicholas:
 - Submitted all of the FEMA costs and estimates for all various categories;
 - Will request an extension for Category A – Debris Removal, Category C – Roads and Bridges, and Category G - Parks:
 - The volume of the work that is there will go beyond the 18 months to finish the project that is required.
 - Submitted the information for Category B – Cost Recovery, and FEMA will start the review process;
 - There are two projects open for cost information:
 - Cost for a temporary radio tower up at Halls Ridge:
 - Oregon Emergency Management is actively helping the county work on state funding.
 - Still putting together cost estimate for VHF replacement:
 - This will be submitted to FEMA for reimbursement.
 - As the Oregon Department of Transportation (ODOT) has gone through their phase two cleanup septic systems have been an issue:
 - At Thursday's coordination meeting, the focus was septic tanks;
 - The contract does require the contractor to identify the location of the septic tanks:
 - Put a protective fence around the septic tank;
 - Pump out the tank; and
 - Fill it with sand slurry.
 - Building Inspection and the sanitariums are working out an understanding with the local pumpers and septic installers to create a process with inspections:
 - Once the tank is pumped, it is inspected at that time to determine functionality.
 - There are 24 homes in Detroit that are under contract for cleanup;
 - The commissioners would like a letter to be mailed to the property owners to communicate steps that ODOT and the county are taking for cleanup efforts;
 - Ice storm update:
 - Submitted the initial damage assessment last week:
 - As a state there was more than \$30 million in damages;

- Ms. Silva heard that it will be more than a month before the county hears back from FEMA; and
 - Marion County suffered \$8 million in damages.
 - Browns Island has collected more than 53,000 cubic yards of woody debris;
 - Samaritans Purse is still available to help with cleanup;
 - Parks Division is still in talk with Team Rubicon to help with cleanup;
 - Continuing to help the cities with hauler support to get their debris removed; and
 - The City of Sublimity asked for assistance to make their contracts FEMA compliant.
- Kathleen Silva:
 - Noted in the initial damage assessment for the ice storm that there will be impacts to stream, creeks, and rivers.
 - Added impact to agriculture.
- Brandon Reich:
 - There have been 10 percent of the building permit issued;
 - There have been 20 percent of the septic permits issued;
 - There has been a slight reduction in permitting because of the winter time; and
 - Working on messaging so people know the next steps.

LEGISLATIVE UPDATE:

Summary of presentation:

- The governor recommended closure of several correctional facilities around the state:
 - Senator Finlay and Representative Reschke introduced SB19:
 - It requires the state to transfer the lands back to the county;
 - There is no right of refusal in this bill; and
 - The commissioners will submit possible amendments to the bill.
- The Community Corrections budget is up for public hearing on Wednesday;
- Senator Courtney asked for revenues lost;
- SB 464 – Property Tax Relief Bill:
 - In agreement with all parties:
 - Agreed to all properties within the wildfire boundary.
 - Meeting with Legislative Council this Thursday.
- HB 2177:
 - Paige Clarkson Asked for a letter of opposition;
 - The chief justice can collect fees for their technology system;
 - It would include anyone that has more than 500 felonies or misdemeanors:
 - Marion County has more than 3,000 felony cases a year:
 - 7,000 misdemeanor cases.
 - The minimum impact would be \$260,000 out of the District Attorney’s budget.

Meeting adjourned at 11:56 a.m.

COMPLETED BY: **Kristy Witherell**
Reviewed by: Joanna Ritchie