

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, March 1, 2023
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

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

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

Commissioner Willis commented that Commissioner Bethell lost her voice today.

(Video Time 00:03:36)

PUBLIC COMMENT

None.

(Video Time 00:03:40)

PRESENTATION

1. Salem Foundation update. –Sherry Lintner and Terry Hancock, Salem Foundation Distribution Committee

Summary of presentation:

- Mr. Hancock is the member on the Salem Foundation Distribution Committee that is appointed by the Marion County Board of Commissioners;
- The Salem Foundation has a long history of supporting Salem through scholarships and grants;
- Mr. Hancock has been serving in this position since January 2017;
- Mr. Hancock is a commercial real estate broker;
- Last year the foundation provided \$4.2 million to local organizations who are doing critical work within the region;
- The Commissioners were given a letter that provided details of the funds that were distributed;
- Following are a few of the organizations who have received funds this year:
 - Acres of Hope Youth Ranch;
 - Gilbert House;
 - HIV Alliance;

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- Hope Pregnancy Clinic;
- Marion Polk Food Share;
- Special Olympics;
- Salem Free Clinics;
- Sparrow Furniture; and
- Wildcat Boxing.
- One of the greatest benefits of the foundation is its flexible donation vehicle structure;
- The foundation is led by Pioneer Trust Bank; and has a long history of excellence, stewardship, and wisdom.

Board discussion:

- The Commissioners thanked Mr. Hancock for his service;
- There are five members on the committee with the seats being appointed by the following:
 - Marion County;
 - President of Pioneer Trust Bank;
 - Governor;
 - Mayor; and
 - President of Willamette University.
- For the last funding round in January approximately 30 percent of grant applicants received no funding;
- Organizations applying for a grant must be within the general Salem area within Marion or Polk County;
- The amount of funds available for distribution are based on the earnings of the foundation's bank account;
- The committee meets twice a year;
- Some donor funds are designated to specific organizations, the donor directs what organization they would like their donation to go to:
 - The committee does not distribute these funds.
- There are needs for funds throughout the county and the committee tries to have a broad reach:
 - They look at what would have the greatest impact on the community.

(Video Time 00:12:22)

CONSENT

None.

(Video Time 00:12:25)

ACTION

COMMUNITY SERVICES

2. Consider approval of a resolution establishing the Emergent Economic Opportunity Program (EEOP). –Kelli Weese

Summary of presentation:

- For the Board's consideration is a new grant program within the Economic Development program called the Emergent Economic Opportunity Program (EEOP);
- The goal of the grant program would be to:
 - Provide financial funding for projects in the community that are improving the economy;
 - Have the program be nimble and flexible by supporting projects from various agencies in a quick and easy manner; and
 - Support projects in the community that meet the county's economic development goals.
- Following are the proposed program criteria: A proposal would have to meet one of the three criteria.
 - The project would create jobs:
 - Create new jobs, prevent the loss of jobs or training and programs that would help retain workers.
 - The project supports general economic development:
 - Funding for non-profit or for-profit businesses that are establishing new facilities or expanding their existing facilities, improving physical environments within Marion County, or general development that supports economic development in the region.
 - The project supports public education:
 - Early childhood, childcare, elementary, secondary, higher education, and workforce training.
- The program is designed to give the Board discretion on how much funding could be awarded;
- Following are the proposed program award amounts:
 - Programmatic awards would be funded up to \$30,000:
 - Includes operating expenses or other non-capital projects.
 - Capital awards would be funded up to \$50,000:
 - Acquisition of land or improvement of property, or anything that is chargeable to a capital account.
- The current budget year allocates \$130,000 to the grant fund; and
- Following are the program process steps for a potential applicant:
 - Receive an invitation from the Marion County Board of Commissioners or Economic Development staff:

- If approved, information regarding the program will be on the county's website.
- Submit an EEO request form to the county;
- County staff and the Board will review the request;
- The Board will decide whether or not to award the grant;
- If the grant is approved, the request would be funded:
 - There would be a contract with the applicant.
- There will be a follow-up presentation at a Board Session meeting.

Board discussion:

- Residents may not know how hard it is to go from an idea to a place where the Board can actually vote on that idea:
 - The Board appreciates the work that Ms. Weese has done on this.
- Commissioner Cameron suggested that the following be changed:
 - Under "EEO Form Instructions", he suggested changing "Executive Director Name" to "Executive Officer":
 - Private businesses will not necessarily have an executive director, the term executive officer is clearer.
- The same application form will be used for both non-profit and for-profit organizations.

MOTION: Commissioner Cameron moved to approve a resolution establishing the Emergent Economic Opportunity Program. Seconded by Commissioner Willis; motion carried. Two voice votes and one thumb's up hand vote was unanimous.

(Video Time 00:19:20)

3. Consider approval of Amendment #1 to the Contract for Services with Maul Foster and Alongi (MFA), Inc. to add \$85,777 for a new contract total of \$185,443 to provide sediment sampling and characterization for the Detroit Marinas Excavation and Resiliency Project through August 31, 2023. –Lari Rupp

Summary of presentation:

- The project consists of the strategic excavation of 162,000 yards of sediment from underneath the two commercial marinas at Detroit Lake;
- The goal of the project is to help the marinas maintain an annual summer lake season from May 1 to October 1 to support the local economy;
- The resiliency project is estimated to create \$1.2 million annually in direct and indirect economic activity throughout the region of the north Santiam Canyon, and \$14.6 million in net economic gain over 20 years;
- Detroit's economy and culture is tied to the marinas, along with all the other communities of the canyon;

- There are multiple conditions that have changed how long the marinas are in water versus above water:
 - Changing weather patterns;
 - Municipal water needs;
 - Fish and wildlife protection mitigation policies; and
 - The five-foot reduction of the full pool depth to mitigate seismic hazards at the Detroit Dam.
- In response to community comments, Marion County is exploring opportunities for beneficial reuse of the excavated material to increase the benefits of the project to the community:
- Examples of how the excavated material could possibly be used include:
 - Construction of new parks and trails;
 - Habitat for fish and wildlife, and
 - Other recreational opportunities.
 - The options are based on the U.S. Forest Service and University of Oregon 2011 Detroit Lake Restoration and Enhancement Design Booklet.
- Marion County is committed to collaboration, and understands that this is a very complex project with a lot of community stakeholders, regulators, and agencies with different interests;
- Three alternatives are being developed in Phase 1, and the community will be asked for feedback:
 - The preferred alternative will be recommended to the Board.
- The project is currently in Phase 1 which includes the following:
 - Develop beneficial reuse options;
 - Develop three alternatives for construction, obtain cost estimates, and receive community feedback; and
 - Present the preferred alternative to the Board for adoption in the summer of 2023.
- Phase 2 of the project includes the following:
 - Engineering for the preferred alternative will be completed in 2024; and
 - Apply for permits from the Army Corps of Engineers.
- Phase 3 of the project includes the following:
 - Excavate the sediment material in 2025;
 - Build the beneficial reuse preferred alternative; and
 - Complete construction in 2026.
- The project is being funded by American Rescue Plan Act (ARPA) dollars which must be spent by December 2026;
- The contract amendment would authorize the current contractor, Maul Foster and Alongi, to investigate and test the sediment in accordance with the project's anticipated permitting requirements with the U.S. Army Corps of Engineers;
- Based on the project team's current understanding of the marina basins, this work is necessary in Phase 1 for the contractor to fully evaluate all alternatives for local

deposition of the soil, particularly regarding the potential for any type of deposition back into the reservoir body;

- If approved, the county would have the opportunity to seek a full reimbursement of the amendment's cost through the Business Oregon Brownfields Redevelopment Fund:
 - If approved, the amendment's cost would be added to the project funds.
- The project funding comes from the following:
 - \$3 million in ARPA funding;
 - \$2 million from a 2023 congressional directed spending request award; and
 - \$50,000 from the Marion County Economic Development Program.

Board discussion:

- As part of the current contract, Maul Foster and Alongi provided the county with a community engagement plan which will include the following activities:
 - Interviews with the following stakeholders:
 - The marina owners;
 - U.S. Forest Service;
 - U.S. Army Corps of Engineers; and
 - The Detroit City Council.
 - Community open houses; and
 - City council meetings.
- The Commissioners want to make sure that the homeowners on Santiam Avenue are involved in the feedback process;
- The project team will be attending its first city council meeting on March 13, 2023, and there will be a community town hall in the spring:
 - The Commissioners would like to be informed of all community meeting dates.
- Ms. Weese explained that the sediment sampling needs to be finished and the three potential alternatives developed before the project team starts public outreach:
 - The sediment could be contaminated and then it would not be able to be used in the lakebed.
- Commissioner Bethell is sending Ms. Weese an email with contact information for public relations consultants in the canyon that the county uses so that they may help facilitate getting information on this project out to the public; and
- Commissioner Cameron stated for the record that he is not going to declare a conflict of interest:
 - A large population benefits from this project; and
 - He does not personally benefit financially from this project.

MOTION: Commissioner Cameron moved to approve Amendment #1 to the Contract for Services with Maul Foster and Alongi (MFA), Inc. to add \$85,777 for a new contract total of \$185,443 to provide sediment sampling and characterization for the Detroit Marinas Excavation and Resiliency Project through August 31, 2023. Seconded by Commissioner Willis; motion carried. Two voice votes and one thumb's up hand vote was unanimous.

(Video Time 00:32:43)

PUBLIC WORKS

4. Consider adopting an administrative ordinance amending the Marion County Comprehensive Plan by adopting a 7.2-acre amendment to the City of Sublimity Urban Growth Boundary (UGB) for public right-of-way. –Austin Barnes

Summary of presentation:

- On September 12, 2022, the City of Sublimity held a public hearing to consider a 7.2-acre amendment to the urban growth boundary for additional road right of way;
- On September 15, 2022, the city submitted its adopting ordinance with a letter requesting the county concur with the expansion;
- On November 2, 2022, the Marion County Board of Commissioners approved a resolution initiating amendments to the county comprehensive plan to consider concurring in an amendment to the City of Sublimity Urban Growth Boundary, and a public hearing was scheduled for January 11, 2023;
- On January 11, 2023, the Board held a hearing, and after considering evidence in the record concurred in the city's amendment, and directed staff to return with an ordinance consistent with their direction;
- The final ordinance is before the Board today;
- The Board has the following options:
 - Adopt the ordinance as provided;
 - Direct staff to prepare a modified ordinance; or
 - Choose not to proceed with adopting the ordinance at this time.
- Staff recommends adopting the ordinance as provided, concurring in the City of Sublimity Urban Growth Boundary amendment.

Board discussion:

- The City of Sublimity needs to have a road on the west side of town, and the road was never incorporated into the city, and it is outside of the UGB; and
- The expansion of the UGB is for this road so that the west side of the city can be developed.

MOTION: Commissioner Cameron moved to approve an administrative ordinance amending the Marion County Comprehensive Plan by adopting a 7.2-acre amendment to the City of Sublimity Urban Growth Boundary (UGB) for public right-of-way. Seconded by Commissioner Willis; motion carried. Two voice votes and one thumb's up hand vote was unanimous.

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


None.

(Video Time 00:36:43)


Commissioner Cameron commented for the record that Commissioner Bethell voted aye on all motions with a thumbs up.

The Commissioners reminded everyone that the State of the County is on March 8, 2023, at noon at the Keizer Community Center, and interested individuals can register online on the SEDCOR website, sedcore.com, or by visiting the Marion County Facebook page.


Commissioner Willis adjourned the meeting at 9:38 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

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