

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, June 17, 2020
9:00 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 9:00 a.m.

PUBLIC COMMENT

None.

PRESENTATION

(Video Time 0:00:48)

COVID-19 (Novel Coronavirus) update. –Katrina Rothenberger

- Ms. Rothenberger reports the following updates for the COVID-19 pandemic as of Tuesday, June 16, 2020:
 - There have been 1,200 cases;
 - An estimated 1,158 individuals have tested positive;
 - An estimated 12,841 individuals have tested negative; and
 - Thirty-one individuals have died from symptoms related to COVID-19.
- Monitoring gating criteria and meeting four out of six:
 - Increasing hospitalizations:
 - There is a slight increase;
 - Still good hospital capacity; and
 - Not seeing a subsequent increase in severe illness.
 - Did not meet increase in cases:
 - There was about a 38 percent increase in cases:
 - The State of Oregon is increasing at a faster rate than Marion County.
- Marion County Health and Human Services (MCHHS) continues to encourage community members to practice the following:
 - Maintaining social distancing;
 - Wearing cloth masks; and
 - Good hand hygiene.

Board discussion:

- Percent of positive tests in the beginning of the pandemic was consistent at 12 percent:
 - Down to 8 percent.
- MCHHS has been reaching out to communities that have been disproportionately impacted by COVID-19 and offering testing:
 - Can test asymptomatic individuals as capacity increases; and
 - Able to offer mobile testing through partners.
- Seeing an increase in cases in Woodburn, Salem and Keizer; and
- Data is updated on the dashboard to show the communities that are being impacted.

CONSENT

(Video Time 00:05:22)

BOARD OF COMMISSIONERS

OLCC Applications – Recommended Approval

Croft Vineyards, LLC – dba Croft Vineyards

Approve an order authorizing the execution of the Community Development Block Grant Program Cooperation Agreement and delegating authority to the chief administrative officer to sign the Cooperation Agreements with participating cities.

COMMUNITY SERVICES

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

FINANCE

Approve Amendment #5 to the Franchise Extension Agreement with Wave Broadband to allow for continued negotiations through December 31, 2020.

HEALTH AND HUMAN SERVICES

Approve an order reappointing Dr. Paul Coelho to the Local Alcohol and Drug Planning Committee with a term ending June 30, 2022.

PUBLIC WORKS

Approve the Materials Price Agreements for rock products used for maintenance activities performed by Public Works employees on Marion County's road system from July 1, 2020, through June 30, 2023: Allied Rock, LLC, Crabtree Crushing, Inc., Jan H. Enterprises, LLC, K & E Rock Products, LLC, Knife River Corporation Northwest, PNP Quarry, River Bend Sand & Gravel, Wildish Sand & Gravel, and Windsor Rock Products.

Approve the Materials Price Agreements for asphalt concrete and asphalt cements used for maintenance activities performed by Public Works employees on Marion County's road system from July 1, 2020, through June 30, 2023: Houck Construction Materials, Inc., Knife River Corporation Northwest, and RiverBend Materials.

SHERIFF'S OFFICE

Approve a resolution extending the suspension of the Marion County Jail Capacity Management Plan through September 30, 2020, due to the COVID-19 State of Emergency.

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

ACTION

(Video Time 00:08:15)

BUSINESS SERVICES

1. Consider approval of the ratification of the Oregon Nurses Association Collective Bargaining Agreement. –Colleen Coons-Chaffins and Bruce Armstrong

Summary of presentation:

- Tentatively reached an agreement with the Oregon Nurses Association:
 - The members of the association ratified the agreement on June 8, 2020; and
 - This is a two year agreement, effective July 1, 2020 through June 30, 2022.
- A red-lined version has been provided to the commissioners which include:
 - Article 3, in the Table of Contents, language was modified from “Fair Share” to “Association Security”;
 - The Public Health Nurse Series Market Review Letter was removed as a one-time Letter of Agreement;
 - Article 1, changed language from “Health Department” to “Health and Human Services” (HHS);
 - Article 3, changed language to “Association Security”:
 - All references to fair share have been modified in the agreement per recent legislation passed by the United States Supreme Court; and
 - Language was updated.
 - Article 4, Section 3:
 - Updated department name to HHS; and
 - Removed reference to 7.5 hour work day.
 - Article 5, Section 2.C and E, updated language to align with current Marion County Personnel Rules;
 - Article 7, under Vacation Leave, removed the reference to the 37.5 hour work week;
 - Article 9, the word “handicapped” was changed to “impeded”;
 - Article 10, Section 4, increase of \$50 per year for county contribution to health insurance;
 - Article 12:
 - Section 2.A, removed reference to 7.5 hour workday;
 - Section 6, approved a two percent cost-of-living-adjustment (COLA) for both 2020 and 2021.

- Article 16:
 - Changed language in Section 1 from “no discrimination” to “non-discrimination”; and
 - Added in the first paragraph “. . . or any other protected status in accordance with state and federal law.”
- Article 18:
 - Changed title from “Labor Management” to “Labor Management Committee”; and
 - Updated department to HHS.
- Article 24:
 - Term of agreement is July 1, 2020 through June 30, 2022; and
 - Under Section 3 changed “Personnel Officer” to “Chief Human Resources Officer.”
- Sick Leave Conversion Letter of Agreement:
 - Removed 37.5 hour workweek.
- There were fewer changes in this agreement;
- Negotiations were done via email; and
- There were a limited number of changes:
 - Primarily for COLA, language updates, and increase in health care coverage.

Board discussion:

- There are 10 nurses employed by HHS;
- Vacation accrual is consistent with other CBAs; and
- Some employees still accrue compensation credits:
 - Trade off was higher salary, but employees would rather have the leave time.

MOTION: Commissioner Brentano moved to approve the ratification of the Oregon Nurses Association Collective Bargaining Agreement. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:18:15)

2. Consider approval of the Contract for Services with Stanley Convergent Security Solutions, Inc. in the amount of \$524,190 to design and install the Jail Transition Center and the Juvenile Detention Center with a Program Logic Controller and Access Control System through June 30, 2021. –Colleen Coons-Chaffins and Kevin Burton

Summary of presentation:

- The project entails three separate phases, each with its own scope of work;
- Asking for approval of Phase I;
- Last March, consulting firm Exante360, assessed the Program Logic Controller (PLC) systems at the three facilities:
 - They identified, documented, and made recommendations regarding the existing conditions and existing technology for the door locks.
- The Sheriff and Facilities’ Team collaborated and decided to move forward on some of the recommendations;

- Phase I scope of work includes the design and installation of the PLC to integrate into existing controlled items at the Transition Center and Detention;
- Phase II will integrate the PLC into the transport hub door and the new camera system the Information Technology (IT) Department is currently working on;
- Phase III integrates the PLC into all the access controls;
 - Card readers;
 - Cell doors; and
 - Locking system.
- There will be questions that arise as the design is worked through.

Board discussion:

- Timing on design Phase I is dependent on when the contractor can be onsite:
 - It is broken down into a two-step process:
 - Step one will be to design the PLC's hardware and software components, which can be done off-site; and
 - Step two entails future phase cost and programming and needs to be completed on-site.
- The contractor will provide a full schedule after the contract is executed;
- Commissioner Willis wanted to reassure the contractors that extra steps have been taken for safety related to COVID at the Jail:
 - He visited the facility about a month ago and felt that precautions had been taken for the safety of everyone.
- At the end of Phase I there will be a complete design and costing for all future phases, as well as a schedule of events;
- The PLC will be fully tested prior to integration:
 - There will also be a backup system in case the main system is down.
- Stanley Convergent is a national company:
 - Has provided the same type of service at over 800 correctional facilities;
 - It is an open sources contract, not locked into a proprietary system;
 - Allows the option to go out for public bid if not satisfied with the prices provided; and
 - Can also get different types of products to work with the system.

MOTION: Commissioner Cameron moved to approve the Contract for Services with Stanley Convergent Security Solutions, Inc. in the amount of \$524,190 to design and install the Marion County Jail, Jail Transition Center, and the Juvenile Detention Center with a Program Logic Controller and Access Control System through June 30, 2021. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:42:53)

FINANCE

3. Consider approval of a resolution to adopt the Fiscal Year 2019-20 Third Supplemental Budget. **(TO BE ACTED ON FOLLOWING THE PUBLIC HEARING)** –Daniel Adatto

(Video Time 00:29:39)

INFORMATION TECHNOLOGY

4. Consider approval of the Intergovernmental Agreement with the City of Salem in the amount of \$150,000 for the county to lease fiber optic cables running through the City of Salem’s right-of-way through June 30, 2029. –Scott Emry

Summary of presentation:

- The county’s current contract with Comcast will expire in July, 2022:
 - Currently the county utilizes the un-used commercial fiber at no cost; and
 - At the expiration of the contract, the county would be required to enter into an agreement at a high commercial rate.
- To keep operating expenses low, the agreement with the City of Salem is cost effective alternative;
- The agreement provides the final segments to create a comprehensive low-cost data network to support the county’s seven primary campuses in the Salem area; and
- The yearly expense is \$6,378.24 for the first five year period:
 - Option to extend an additional five years; and
 - The not to exceed amount of the contract is \$150,000.

Board discussion:

- Currently not paying for fiber with Comcast, the agreement ends in 2022;
- The current agreement with the City of Salem begins on August 1, 2020:
 - Need additional lead time to make the transition.
- Considerations were made for future right-of-way issues which would increase the cost; and
- The annual cost to extend the agreement with Comcast would have been \$275,000 per year.

MOTION: Commissioner Brentano moved to approve the Intergovernmental Agreement with the City of Salem in the amount of \$150,000 for the county to lease fiber optic cables running through the City of Salem’s right-of-way through June 30, 2029. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:34:08)

PUBLIC WORKS

5. Consider adopting an administrative ordinance granting Zone Change/ Comprehensive Plan (ZC/CP) Case #20-001/Chemeketa Community College on property owned by A&S Real Estate Management, LLC. –Joe Fennimore

Summary of presentation:

- Application for a zone change on property that is currently zoned Unincorporated Community Industrial-Limited Use Overlay (IUC-LU):
 - Request is to remove the overlay from the property;
 - Requires an exception to Statewide Goal 3; and
 - This will allow additional uses on the property, including:
 - Chemeketa Community College Brooks Campus to use a portion of the property for their Diesel Mechanics Program.
- On March 10, 2020, the hearings officer conducted a public hearing;
- A recommendation to approve the request, subject to meeting certain conditions, was issued on March 31, 2020;
- The board held a public hearing on May 31, 2020, and approved the request, subject to the following conditions:
 - Applicants shall apply for review of on-site sewage treatment capacity;
 - If future uses involve using water in the manufacturing process, applicant shall review the sewer capacity at the time to make sure it will allow the use; and
 - Applicant shall implement erosion control measures needed for any fill work for the proposed ramp.
- The ordinance and findings have been prepared and notice of adoption was given on June 10, 2020;
- The ordinance is set for formal adoption;
- Board options include:
 - 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.

MOTION: Commissioner Cameron moved to approve an administrative ordinance granting Zone Change/ Comprehensive Plan (ZC/CP) Case #20-001/Chemeketa Community College on property owned by A&S Real Estate Management, LLC. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:37:10)

SHERIFF'S OFFICE

6. Consider approval of Amendment #2 to the incoming funds Intergovernmental Agreement with the Oregon Marine Board adding \$147,639.49 for a new contract total of \$290,794.49, and

extend the term through June 30, 2021, for patrol services for recreational boating within the county. – Commander Jeff Stutrud

Summary of presentation:

- The agreement is to provide law enforcement services throughout waterways in Marion County, mainly at Detroit Lake;
- The service has been provided for approximately 20 years;
- The Sheriff's Office also assist other agencies, including Polk, Linn, and Multnomah Counties;
- The amendment is to add additional funding, which increased from the previous year, and helps cover deputy wages and a seasonal cadet; and
- Law enforcement presence helps to alleviate safety concerns.

MOTION: Commissioner Brentano moved to approve Amendment #2 to the incoming funds Intergovernmental Agreement with the Oregon Marine Board adding \$147,639.49 for a new contract total of \$290,794.49, and extend the term through June 30, 2021, for patrol services for recreational boating within the county. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

PUBLIC HEARINGS

9:30 A.M.

(Video Time 0:42:53)

FINANCE

A. Public hearing to consider a resolution to adopt the Fiscal Year 2019-20 Third Supplemental Budget. – Daniel Adatto

Summary of presentation:

- The presentation of the third supplemental budget for fiscal year 2019-20 is in accordance with local budget laws and county policies;
- The total county budget is increasing by \$3.4 million;
- The public hearing was noticed and posted in the Statesman Journal on June 11, 2020;
- Copies of the budget are available on the Finance Departments website and at the Board of Commissioners office;
- The supplemental budget was reviewed by the commissioners at a Management Update Meeting on June 15, 2020;
- Thirteen funds were modified:
 - General Fund:
 - Remains unchanged at the fund level, changes within the fund:
 - Assessor's Office budget increased \$17,000 for computer supplies and ORMAP Grant;

- Juvenile Department increased by \$21,000 for new bunk beds in the Guaranteed Attendance Program;
 - Transfers Out increased by \$200,000 for a transfer to Public Works Fund for a county-wide radio communications engineering plan, and \$456,438 for various Capital Improvement Projects; and
 - Contingency was decreased to cover the increased expenditures.
- Community Services, Lottery and Economic Development Fund:
 - Increased by \$2,500; and
 - Materials and Services and Contingency were decreased to cover the funds that were reallocated to Special Payments distributed to small business to assist in the COVID-19 emergency.
 - Health and Human Services Fund:
 - Increased by \$473,000 due to an increase in federal and state funding for the COVID-19 emergency.
 - Public Works, Environmental Services Fund:
 - Charges for Services increased \$715,000; and
 - Requirements increased by \$800,000 for disposal costs due to an increase in volume at the transfer stations and leachate disposal costs.
 - Capital Improvement Fund:
 - Increased \$456,000 for four new, and five modified projects, including:
 - Remodel of the new Human Resources Department; and
 - Replacement of the Courthouse Square AC Unit.

MOTION: Commissioner Cameron moved to close the public hearing and approve a resolution to adopt the Fiscal Year 2019-20 Third Supplemental Budget. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

Commissioner Brentano read the calendar.
Commissioner Willis adjourned the meeting at 9:51 a.m.

CHAIR

COMMISSIONER

COMMISSIONER

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

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