

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, July 19, 2023
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

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

ABSENT: Commissioner Colm Willis.

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

(Video Time 00:01:40)

PUBLIC COMMENT

None.

(Video Time 00:01:44)

CONSENT

BOARD OF COMMISSIONERS

Board Appointments – Marion County Health Insurance Study Committee (HISC)

1. Approve orders appointing Troy Gregg, Cody Walterman, and Chad Ball as management representatives to the Marion County Health Insurance Study Committee (HISC).

Board Appointments – Marion County Law Enforcement Association (MCLEA) Health Insurance Study Committee (HISC)

2. Approve orders appointing Jacob Ramsey and Allycia Weathers as management representatives to Marion County Law Enforcement Association (MCLEA) Health Insurance Study Committee (HISC).

HEALTH AND HUMAN SERVICES

3. Approve an order appointing the following individuals as Director’s Designee’s to authorize emergency actions for the Marion County Community Mental Health Program (CMHP):

Allan Rainwater	Debra Wells	Mark McIntire
Amanda Harp	Edward James	Naomi Hudkins
Andrew Davis	Heidi Miller-McSmith	Sofia Benedettino
Anika Girardi	Janice Pence	Stacie Savelich
Anne Oscilia	Kelly Nowak	Susan Gertsyn
Ann-Marie Bandfield	Lindsey Ball	Tiffera Tarbox
Christopher David	Mario de Obaldo	Tracie Eoff

4. Approve Amendment #1 to the incoming funds Intergovernmental Agreement with Polk County, Oregon to add \$50,000 for a new contract total of \$178,676 and extend the term date through December 31, 2023, for communicable disease control and public health modernization efforts.

Treasurer’s Office

5. Approve an order distributing Oregon State Forestry timber revenue in the amount of \$51,802.33 as per ORS Chapter 530.

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

(Video Time 00:03:54)

ACTION

COMMUNITY SERVICES

6. Consider approval of Amendment #3 to the Information Technology Products and Services Contract with ShelterBuddy Software, dba, Shelter Management Proprietary Limited to add \$98,140 for a new contract total of \$201,303 and extend the contract through June 30, 2028, for ShelterBuddy Animal Management Software. –Chris Eppley and Lauren Thielke

Summary of presentation:

- ShelterBuddy is the software used to manage all operations at the shelter;
- This contract has been in place for five years:
 - ShelterBuddy replaced Iams, the previous software used.
- This request is asking for a five-year extension on the use of the software.

Board discussion:

- The Board of Commissioners (BOC) is good to proceed.

MOTION: Commissioner Bethell moved to approve Amendment #3 to the Information Technology Products and Services Contract with ShelterBuddy Software, dba, Shelter Management Proprietary Limited to add \$98,140 for a new contract total of \$201,303 and extend the contract through June 30, 2028, for ShelterBuddy Animal Management Software. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:05:44)

HEALTH AND HUMAN SERVICES

7. Consider approval of the Grant Agreement with B2 Community Care, LLC in the amount of \$1,200,000 for the development of a hybrid model to support individuals who experience co-occurring Intellectual or Developmental Disability (IDD) and a Serious and Persistent Mental Illness (SPMI) through April 1, 2024. –Christina Bertschi

Summary of presentation:

- The home will be licensed by the Office of Developmental Disability's and will use behavioral health treatment modalities to treat SPMI diagnoses;
- The funding for this project is derived from the \$6.3 million Behavioral Health Housing Investment Funds:
 - These funds came as the result of House Bill (HB) 5024:
 - This resulted in an Intergovernmental Agreement (IGA) in November 2022;
 - The Request for Application process was completed;
 - The RFP resulted in and intent to award with B2 Community Care; and
 - Award intent was brought to management update, on April 25, 2023.
- This innovative model helps fill gaps in services for those experiencing cooccurring disorders;
- Current residential models do not support clients because of administrative rule and program limitations;
- Evidence based residential treatment modalities are used and will be licensure from the Office of Developmental Disabilities Services (ODDS) qualifying the home as a 24-hour residential home:
 - This ensures needs and services are provided as long as needed.
- B2 Community Care has experience licensing behavioral health and IDD homes:
 - The declaration of restrictive covenant ensures 20 years of operation.
- The home will be funded through Medicaid with a conditional license:
 - Allowing to provide and bill for behavioral health intervention.
- B2 Community Care plans to be operational April 2024.

Board discussion:

- The contract is until April 1, 2024, at which time they will be operational:
 - There will be quarterly reports for two years; and

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2023\7-19-2023

- There will be oversight as this is a new model.
- There is a home identified to be purchased, and staff has been hired:
 - A Qualified Mental Health Professional (QMHP) will be hired for consulting in the program's model.
- The contract is for home purchase, renovations, hiring staff and support in model development:
 - This will include coming up with a funding structure; and
 - Working with ODDS and Oregon Health Authority (OHA).
- The home is funded by Medicaid and payment will be given through IDDS:
 - The conditional license allows the QMHP to bill for the behavioral health interventions.
- This grant funding is for start up the home;
- Behavioral Health Housing Investment fund's purpose is to build capacity in Marion County:
 - Specifically, residential treatment facilities, as there is a shortage.
- The housing is not related to the Oregon Health Plan (OHP) waiver, which will be done next year:
 - This related to House Bill 5024 where Oregon counties have \$100 million, to spread amongst themselves, for increasing housing capacity.
- The license will allow for five beds as IDD residential has limitations set:
 - This is to prevent the institutionalization of individuals helped.
- An update should be brought, at management update meeting, before the home opens; and
- The referral process is currently being worked through with ODDS and OHA, requirements include:
 - Individuals need to be in DD services; and
 - A SPMI diagnosis allows referrals to come from other behavioral health sources.

MOTION: Commissioner Bethell moved to approve the Grant Agreement with B2 Community Care, LLC in the amount of \$1,200,000 for the development of a hybrid model to support individuals who experience co-occurring Intellectual or Developmental Disability (IDD) and a Serious and Persistent Mental Illness (SPMI) through April 1, 2024. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:14:45)

8. Consider approval of Amendment #10 to the incoming funds Intergovernmental Agreement with the Oregon Health Authority to decrease funding in the amount of \$427,531.92 for MHS 26A, Early Assessment and Support Alliance (EASA) and MHS 35A, Gero-Specialist, for a new contract total of \$21,239,876.04 for the term date of January 1, 2022, through June 30, 2023.

–Ryan Matthews

Summary of presentation:

- The current contract expired on June 30, 2023;
- The original IGA with OHA contract expired at the end of 2022:
 - Counties and OHA were not able to agree on contract language;
 - The IGA was extended from January 1, 2023, through June 30, 2023;
 - The extension gave time for negotiations which are still taking place; and
 - A new amendment is needed, for six months, to get through 2023:
 - This will be received in the next few weeks.
- The initial award was received a few weeks prior to the IGA extension:
 - The funding was to roll over from last year and be prorated for six months instead;
 - More EASA funding was received than anticipated:
 - Funding is used to provide intensive care services for kids in early psychosis.
 - Initially the funding was thought to be an increase from the State, but other counties were missing their funding; and
 - This amendment removes funding that was awarded in error.
- The decrease brings in a balance of what the payment should be for six months of services:
 - The next six months of the contract will be monitored.
- The contract is past the expiration point and there are timeliness issues as the county has been waiting:
 - It took about six months, but payments are beginning to arrive;
 - There is a challenge with timelines and accruing revenue into the right fiscal year which causes accounting and administrative burdens;
 - Other OHA contracts are delayed as well; and
 - Delays are impacting the county for things to be done in a timely manner.
- OHA's public health IGA have amendments which are processed, monthly, in a timely manner:
 - Behavioral health has a different process.

Board discussion:

- None.

MOTION: Commissioner Bethell moved to approve Amendment #10 to the incoming funds Intergovernmental Agreement with the Oregon Health Authority to decrease funding in the amount of \$427,531.92 for MHS 26A, Early Assessment and Support Alliance (EASA) and MHS 35A, Gero-Specialist, for a new contract total of \$21,239,876.04 for the term date of January 1, 2022, through June 30, 2023. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:20:01)

JUVENILE DEPARTMENT

9. Consider approval of the incoming funds Intergovernmental Agreement with Clackamas County, Oregon in the amount of \$500,000 for emergency detention beds through June 30, 2025. –Troy Gregg

Summary of presentation:

- This is for Clackamas County’s Juvenile Department emergency bed use:
 - There were funding issues causing Donald E. Long Detention Center in Multnomah County to close a pod reducing the number of beds:
 - Washington and Clackamas county’s contract with the center.
- Clackamas County reached out concerned with youth on long term waivers:
 - Washington County’s nine of 11 beds are youth on waivers meaning:
 - A bed will be occupied for a long period of time; and
 - This can extend up to or over one year.
- Clackamas County does not want to occupy their beds with long term kids:
 - If there is bed availability this contract will allow the beds to be used.
- There will be no extra staffing needed or impacts to budget:
 - Marion County will only pay for the meals needed.
- The service is only if Marion County has the extra beds available; and
- This covers four emergency beds up to \$500,000 for the contract’s duration.

Board discussion:

- Clackamas County utilizes Multnomah County’s center as it does not have its own:
 - They have eight beds available at the center;
 - This is not enough for a county their size; and
 - Beds taken for long term are not available for those with a quick turnaround.
- Marion County has the space available to manage long term youth:
 - Clackamas County currently does not have any long-term youth;
 - They do not often use the beds; and
 - They would like to be prepared in case of an emergency:
 - As there was a point when multiple waivers came in a short time.
- Washington County reached out to the county as well:
 - Though Marion County has not heard back from them.

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2023\7-19-2023

- Youth are generally in detention for a short term:
 - There is about a 10–15-day timeframe.
- Marion County has 32 beds that are fully staffed for:
 - The county averages 16-18 beds, currently;
 - Pre-covid the number was almost at 32;
 - During covid it went to the single digits; and
 - It is slowly climbing.
- The waiver process is used for heinous crimes committed by youth:
 - Measure 11 stated certain crimes automatically go to trial as an adult:
 - The district attorney’s (DA) office says the youth should be tried as an adult.
 - When this happens various court hearings and large amounts of preparation takes place, taking a long time.

MOTION: Commissioner Bethell moved to approve the incoming funds Intergovernmental Agreement with Clackamas County, Oregon in the amount of \$500,000 for emergency detention beds through June 30, 2025. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:27:12)

PUBLIC WORKS

10. Consider approval of the Contract for Services with Day Management Corporation, dba, Day Wireless Systems in the amount of \$1,200,000 to provide as-needed vehicle upfit services for Marion County emergency vehicles through June 30, 2026. –Dennis Mansfield

Summary of presentation:

- There are about 130 Sheriff’s Office emergency vehicles requiring special features such as:
 - Lights;
 - Sirens;
 - Cages;
 - Seats get changed out;
 - Radios are installed; and
 - Computer stations are installed.
- The Third-party vendor handles all the upgrades and installations;
- A competitive RFP was done earlier this year and Day Wireless Systems was the successful vendor; and
- The contract is for three years, ending June 30, 2026, with an up to amount of \$1.2 million:
 - There is an option to extend the contract an additional two years.

Board discussion:

- The county's emergency vehicles are on a rotation of replacement;
- The contract is an up to amount and it is possible the full amount will not be spent;
- Up to 20 vehicles in a year will be replaced in the Sheriff's Office:
 - This number depends on the types of vehicles that need to be upfitted.
- The 130 vehicles in the contract signify how many vehicles the Sheriff's Office has:
 - All 130 vehicles will not be upfitted in the three years;

MOTION: Commissioner Bethell moved to approve the Contract for Services with Day Management Corporation, dba, Day Wireless Systems in the amount of \$1,200,000 to provide as-needed vehicle upfit services for Marion County emergency vehicles through June 30, 2026. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:30:45)

11. Consider approval of the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation in the amount of \$563,019.63 of which an estimated \$450,415.71 will be paid with federal funds and an estimated \$112,603.90 will be paid with county funds for tower catwalk improvements at the Buena Vista ferry through June 21, 2024. –Ryan Crowther

Summary of presentation:

- The Buena Vista ferry is located south of the City of Independence, and it crosses the Willamette River;
- The project scope entails the following:
 - Constructing upper and lower catwalks on the Polk County tower:
 - This will be done for worker safety; and
 - Catwalks have been constructed on various towers for crew members to do repairs.
- The project is funded as follows:
 - Federal funding is at 80 percent and 20 percent is the county's match:
 - Federal Ferry Funding Program is at \$450,415.71;
 - County funding is at \$112,603.90; and
 - The total estimated cost is \$563,019.63.
- The schedule of the project is as follows:
 - The engineering and environmental process will begin in 2023:
 - No right-a-ways or easements will be needed as the county already owns them.
 - Construction will begin in 2025.

Board discussion:

- The project will require a closure as the catwalks will have to be lifted:
 - This will happen for a short period of time; and

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2023\7-19-2023

- This information will be shared with the public.
- There is a generator on site and not sure if it is tested regularly;
- The county will utilize the Road Funds for the completion of the project;
- The county share costs with Yamhill County for the Wheatland Ferry:
 - The cost share is for operating costs that aren't covered by the tolls; and
 - The traffic is at a good amount and the ferry is paying for itself:
 - Neither the Road Fund nor Yamhill County will have to pay anything.
- Polk County does not contribute funds for the Buena Vista ferry, the operating agreement is with ODOT:
 - ODOT pays 50 percent of the costs that are not covered through tolls;
 - Marion County pays the other 50 percent; and
 - Polk County stated they were unable to pay so ODOT stepped in.

MOTION: Commissioner Bethell moved to approve the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation in the amount of \$563,019.63 of which an estimated \$450,415.71 will be paid with federal funds and an estimated \$112,603.90 will be paid with county funds for tower catwalk improvements at the Buena Vista ferry through June 21, 2024. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:37:12)

12. Consider approval of Amendment #1 to the Public Improvement Agreement with Mid Valley Excavation, LLC to add \$53,962 for a new contract total of \$146,562 for the North Fork Fire Recovery Traffic Information Signage and Installation project through August 31, 2024.

–Ryan Crowther

Summary of presentation:

- The additional funding is for installation of the following at the North Fork corridor:
 - Traffic warning signs;
 - No parking signs; and
 - Public and private parking signs.
- Traffic engineers analyzed the space to see what was needed:
 - The analysis was done after the bidding; and
 - It was determined additional signs were needed.
- The nature of work has not changed just more signs are needed;
- Bids were received March 29, 2023, and Mid Valley Excavation was chosen:
 - They submitted the lowest bid.
- Public outreach was done for the signage such as:
 - Met with the community; and
 - Met with the residents:
 - Letting them know what the plan was;

- Letting them know the location of the signs; and
 - Received input from the community.
- The project is 100 percent state funded stemming from House Bill 5202 which awarded the county state funding for wildfire recovery.

Board discussion:

- Some of the open houses were attended by commissioners:
 - Not everyone will be happy with the way the signs are placed; and
 - The team did a great job showing the public what will be happening.
- The county is still in recovery following the 2020 wildfires:
 - The parks will not be open when the road open in September.
- This is the best effort to provide signage for individuals that want to visit public lands:
 - This is done to help get through the terrain and not clog the road which has a narrow roadway.
- Historically the area has a significant amount of pedestrian traffic on the roadway:
 - This is very dangerous to pedestrians.
- The team has done a great job and has been creative in solving problems;
- Signage will assist public members with where parking is available;
- Striping has been added to portions of the road to help individuals;
- Engineering, education, enforcement is all very important for the recovery and project;
- Private landowners are still in recovery and want to protect their properties;
- Signage helps the public with parking for public lands and where it is safe to do so:
 - The public should be respectful of the property owners who have been through a lot and are just trying to protect what is theirs.
- Staff has spent a significant amount of time to develop the plan.

MOTION: Commissioner Bethell moved to approve Amendment #1 to the Public Improvement Agreement with Mid Valley Excavation, LLC to add \$53,962 for a new contract total of \$146,562 for the North Fork Fire Recovery Traffic Information Signage and Installation project through August 31, 2024. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:45:15)

***Recess as Board of Commissioners.
Convene as Contract Review Board.***

CONTRACT REVIEW BOARD ACTION

PUBLIC WORKS

1. Consider approval of an order to set a public hearing date for August 2, 2023, to allow for the use of an alternative contracting method to solicit construction manager and general contractor proposals for the construction of the Brooks-Hopmire Wastewater and Drinking Water Project. –Camber Schlag and Chris Einmo

Summary of presentation:

- Request to change the public hearing date from August 2, 2023, to August 9, 2023;
- The board has allocated approximately \$15 million for the water and wastewater systems in the Brooks Community Service District;
- Includes improvements to the following:
 - The wastewater treatment system;
 - The sanitary sewer collection system;
 - The water supply storage pumping treatment system; and
 - The water distribution system.
- The contract was awarded to Keller and Associates:
 - Engineering studies and master planning can now begin;
 - There will be recommendations for the improvements that will have the most benefit as:
 - The \$15 million isn't enough for all improvements needed.
- The benefit of a Construction Management/General Contractor (CMGC) is continuous feedback and estimates would be provided for cost decisions:
 - The district will then be presented with this data of real time costs of each type of improvement.
- There are two challenges involved in this project, which are:
 - The American Rescue Plan Act (ARPA) funds must be obligated by December 31, 2024:
 - All design permitting must be done to a level that will be ready for bidding or contracting.
 - All funds must be fully expended by December 2026:
 - This includes construction and commissioning of any improvements.
- A surge in construction work is anticipated due to wildfire recovery, ARPA grants and other large programs:
 - The CMGC can bring all the contractors together and help with project delivery.
- Public Works identified that a CMGC solicitation method as the preferred method because of the following:

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2023\7-19-2023

- The projects complexity;
- Greater emphasis on the contractor's experience and technical ability; and
- There are very strict expenditure and deadlines in place.
- Per ORS 279C.335 requires the local contract review board to make certain findings as part of authorizing the use of this method:
 - The main factor in this process is it will not encourage favoritism:
 - The evaluation process is about experience, ability to respond to the technical complexity of the project, meet timelines, past performance, and value of the contract.
- The process is done by evaluation and by a team;
- The awarded contract will then be negotiated with the contractor; and
- Contract process will result in a cost savings because of the negotiations.

Board discussion:

- There are significant issues in that community related to water because of the age of the systems;
- This is just a first step in the project and the team can be out in the community letting people know what is to come;
- The funding is limited but it will allow for limited improvement and expansion in the future; and
- If the ARPA funding gets extended the contract can have a provision added.

MOTION: Commissioner Bethell moved to approve an order to set a public hearing date for August 9, 2023, to allow for the use of an alternative contracting method to solicit construction manager and general contractor proposals for the construction of the Brooks-Hopmeyer Wastewater and Drinking Water Project. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

***Adjourn as Contract Review Board.
Reconvene as Board of Commissioners.***

(Video Time 00:53:47)

Board discussion:

- There will be no board session next week and it will be back on schedule in August;

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

None.

Commissioner Cameron adjourned the meeting at 9:55 a.m.

Not Present At Meeting

CHAIR



COMMISSIONER



COMMISSIONER

Board Sessions can be viewed on-line at

<https://www.youtube.com/playlist?list=PLSUQ1gg6M78UsBE3q6w4rdf59Z5rXkEi5>