

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, July 24, 2019  
9:00 a.m.

Senator Hearing Room  
555 Court Street NE  
Salem, OR 97301

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

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

**PUBLIC COMMENT**

None.

**CONSENT**

*(Video Time 00:00:54)*

BOARD OF COMMISSIONERS

OLCC Application – Recommended Approval

Micheladas Y Antojitos El Perico, LLC - dba Micheladas Y Antojitos El Perico

FINANCE

Approve an order selling a proposed list of Tax Foreclosed properties in Marion County at a public auction on September 10, 2019.

JUSTICE COURT

Approve an order reappointing Todd C. McCann as a justice of the peace pro tempore for the Marion County Justice of the Peace District, effective August 1, 2019 through July 31, 2020.

JUVENILE DEPARTMENT

Approve Amendment #2 to the Intergovernmental Agreement with the State of Oregon Department of Education to add \$31,326 for a total of \$455,270 for family support program crime prevention services through June 30, 2021.

PUBLIC WORKS

Receive notice of hearings officer's decision dismissing Partition/Variance (P/V) Case #19-002/Short.

Receive notice of hearings officer's recommendation for Zone Change/Comprehensive Plan Amendment/Conditional Use/Partition (ZC/CP/CU/P) Case #18-006/Marion Investment Group, LLC, and schedule a public hearing for August 14, 2019.

Approve the Purchase Order Contract with Les Schwab Tire Center for an estimated amount of \$190,000 for the purchase of county fleet vehicle tires, alignment, and rotation services for Fiscal Year 2019-20.

Approve the Purchase Order Contract with Carson Oil Co., Inc. in the amount of \$900,000 to purchase bulk fuel for county fleet vehicles through June 30, 2020.

#### SHERIFF'S OFFICE

Approve the Contract for Services with 4M4 Solutions in the amount of \$200,000 to assist the Sheriff's Office with Project Management and Subject Matter Expert services.

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

### **ACTION**

*(Video Time 00:03:14)*

#### HEALTH AND HUMAN SERVICES

1. Consider approval of the Contract for Services with Nathaniel Kravitz, LLC in the amount of \$218,400 for Psychiatric Mental Health Nurse Practitioner (PMHNP) services through June 30, 2021. –Cydney Nestor

##### ***Summary of presentation:***

- Mr. Kravitz has been with the department since 2010;
- He started as an intern; and
- He provides high quality services to individuals and consultation to team members.

##### ***Board discussion:***

- The contract is for two years;
- Mr. Kravitz provides prescriber and consultation services for individuals in adult behavior health:
  - He provides an assessment, and prescription, if an individual is interested in psychotropic medication.
- Mr. Kravitz is one member of a six member medical team.

**MOTION:** Commissioner Brentano moved to approve the Contract for Services with Nathaniel Kravitz, LLC in the amount of \$218,400 for Psychiatric Mental Health Nurse Practitioner (PMHNP) services through June 30, 2021. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:06:27)

## PUBLIC WORKS

2. Consider approval of the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation in the amount of \$2,826,495 for the Hollywood Drive Bike/Pedestrian Improvements Project through July 17, 2029. –Ryan Crowther

### ***Summary of presentation:***

- The project is located in Northeast Salem between Silverton Road and Greenfield Lane;
- Approximately 750 feet of the project is within the City of Salem:
  - The city will reimburse the county for any matching funds required to construct the project through a separate Intergovernmental Agreement.
- The project is roughly one third of a mile long and includes:
  - Sidewalks;
  - Bike lanes;
  - Stormwater improvements; and
  - A left turn lane and traffic signal, at the intersection of Hollywood Drive and Silverton Road.
- The existing bike lanes and sidewalks on Hollywood Drive will be connected to the newly constructed ones on Silverton Road;
- The estimated budget for this project is \$3,150,000:
  - Federal share is \$2,826,495;
  - County share is \$243,805; and
  - City share is \$79,700.
- The project schedule is as follows:
  - Preliminary design in 2019;
  - Final design by 2021;
  - Construction in 2022; and
  - The project must be completed by 2029.

### ***Board discussion:***

- The federal portion is strictly for pedestrian and bike lane improvements:
  - It was obtained by the Salem-Keizer Area Transportation Study (SKATS);
  - Grants were given out for the Northeast Salem area;
  - The county and SKATS refer to a priority list to determine where the funding would be best spent; and
  - There is a selection process when applying for grants and the committee determines the area the grant money would be best used.

**MOTION:** Commissioner Willis moved to approve the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation in the amount of \$2,826,495 for the Hollywood Drive Bike/Pedestrian Improvements Project through July 17, 2029. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:12:30)

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3. Consider approval of Amendment #1 to the Intergovernmental Agreement with the Oregon Department of Transportation for incoming funds in the amount of \$2,647,034.87 and change the project location to Hayesville Drive from Portland Road to Fuher Street, Salem. –Ryan Crowther

**Summary of presentation:**

- The amendment to the existing IGA is to expand the project limits and add additional federal funding;
- The original project limits ran from Happy Drive and ended at Fuher Street;
- Project limits would be expanded to Portland Road:
  - Total of 1.3 miles; and
  - Construction includes:
    - Sidewalks;
    - Bike lanes;
    - Stormwater improvements; and
    - A new traffic signal at the intersection of Hayesville Drive NE and Lancaster Drive NE.
- The original budget was \$2,663,600:
  - Amendment increases project to \$5,613,600;
  - Federal share increases to \$4,932,634; and
  - County share increases to \$680,965.
- The project design is as follows:
  - Preliminary design is in process;
  - The final design would be completed by 2021; and
  - Construction would be from 2022-2023:
    - Due to the size of the project it is anticipated that multiple summers would be needed for construction.

**Board discussion:**

- The county's share is typically 10.27 percent:
  - The county's match percentage is based on the grant that is received;
  - There are multiple grants awarded for this project; and
  - The total amount the county is receiving for the project is \$4,932,634.
- The project benefits residential housing, two neighborhood parks, one middle school, and three elementary schools.

**MOTION:** Commissioner Brentano moved to approve the Intergovernmental Agreement with the Oregon Department of Transportation for incoming funds in the amount of \$2,647,034.87 and change the project location to Hayesville Drive from Portland Road to Fuher Street, Salem. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

*(Video Time 00:19:00)*

4. Consider approval of the Contract for Services with Cappelli Miles in the amount of \$1,098,000 to provide media planning and placement services to the Marion County Public Works Environmental Services Division through June 30, 2022. –Brian May

**Summary of presentation:**

- Environmental Services has been utilizing media planning and placement services since 2013;
- Can reach 25 media outlets with one contract, which include:
  - Print;
  - Radio;
  - Theatre;
  - Television;
  - Digital;
  - Social media;
  - Buses; and
  - Billboards.
- The current contract expires at the end of July, 2019;
- A Request for Proposal (RFP) was issued at the end of January, 2019 in anticipation of the contract expiring:
  - The request closed on February 26, 2020;
  - Five responses were received;
  - An RFP committee was formed;
  - Four vendors moved to the interview phase:
    - Cappelli Miles received the highest scores in both phases.
  - The notice of intent to award was issued on June 17, 2019; and
  - No protests were received and the award was finalized on June 24, 2020.
- The total contract amount is \$1,098,000:
  - It is a three year contract beginning August 1, 2019, with the option for a two year renewal;
  - There are no price increases allowed during the contract period;
  - Both English and Spanish media contacts are combined in the contract:
    - About 25 percent is spent on Spanish media.
  - Funding is split between Solid Waste (75 percent) and Stormwater (25 percent).

**Board discussion:**

- In addition to reporting on major issues, media contacts meet regulatory requirements for education and outreach for Solid Waste and Stormwater programs;
- Cappelli Miles is the outlet to other media sources, the county provides the content; and
- The commissioners would be interested in a presentation by Cappelli Miles during a Work Session.

**MOTION:** Commissioner Willis moved to approve the Contract for Services with Cappelli Miles in the amount of \$1,098,000 to provide media planning and placement services to the Marion County Public Works Environmental Services Division through June 30, 2022. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:27:25)

### SHERIFF'S OFFICE

5. Consider approval of the reinstatement of Amendment #1 to the Intergovernmental Agreement with the Oregon State Hospital to add \$813,310.21 for a total of \$1,800,000 for medical transport services and extend the date through June 30, 2021. –Commander Eric Hlad

#### ***Summary of presentation:***

- The contract is to provide medical transport services for patients classified under state statute that do not have privilege to attend appointments without restraints;
- The state hospital is limited in their ability to transport restrained individuals outside of their facility;
- The contract provides funding for personnel and material and services costs for:
  - Two full time sheriff deputies from the Judicial Security Unit;
  - Two vehicles;
  - An ADA van; and
  - Two on-call deputies per week to provide transport as needed by the Oregon State Hospital, or to transport individuals from the jail to the Salem Hospital or other locations.
- Contract also allows for the continuation of care for these individuals:
  - Able to establish a rapport with individuals who are transitioning from the hospital to jail or from the hospital to the community.
- The state hospital provides training to the deputies assigned to work the contract:
  - The county provides additional Crisis Intervention Training to the deputies.

#### ***Board discussion:***

- There were three different contracts dating back to 2016:
  - Became one contract in October, 2017.
- The contract has been mutually beneficial for the state hospital and the sheriff's office;
- The contract covers all patients at the Oregon State Hospital who need transportation services:
  - May include patients from other counties;
  - Transportation is generally within the Salem area, with a few appointments out of the county; and
  - The state hospital pays the county for these services.
- There have not been any issues with the on-call deputies or overtime;
- All expenses are covered by the state hospital; and
- The commissioners commented that this is a great example of two government entities working together to provide efficient services to the residents of the county, and thanked Commander Hlad for his work.

**MOTION:** Commissioner Brentano moved to approve the reinstatement of Amendment #1 to the Intergovernmental Agreement with the Oregon State Hospital to add \$813,310.21 for a total of \$1,800,000 for medical transport services and extend the date through June 30, 2021. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

## **PUBLIC HEARINGS**

9:30 A.M.

*(Video Time 00:34:40)*

### FINANCE

A. Public Hearing to consider approval of the sale of Tax ID #R108128 to the City of Woodburn in the amount of \$754.95. –LeAnne Aurand and Camber Schlag

#### ***Summary of presentation:***

- The property is a non-buildable alley way located behind a convenience store between Front Street, First Street, and Cleveland Street;
- When the county decides to return property back to the tax rolls, interested parties are notified:
  - The City of Woodburn was notified; and
  - They reached out expressing interest in acquiring the property for their First Street improvement project.
- The city submitted a written offer of \$754.95, which is the total amount of past due taxes, interest, and fees owed on the property;
- If the sale is approved, the county and taxing districts would receive the revenue; and
- It was determined that the sale of the property would not be successful at a public auction.

#### ***Board discussion:***

- The most recent real market value of the property was \$3,600.

**MOTION:** Commissioner Willis moved to close the public hearing and approve the sale of Tax ID #R108128 to the City of Woodburn in the amount of \$754.95. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

*(Video Time 00:38:45)*

### PUBLIC WORKS

B. Public Hearing to consider Zone Change/Comprehensive Plan/Conditional Use (ZC/CP/CU) Case #18-008/Apostolic Christian Faith of Silverton. –Joe Fennimore

#### ***Summary of presentation:***

- The applicant is requesting the following, on a two acre portion of a 7.4 acre parcel:
  - To change the zone from Acreage Residential-3 (AR-3) to Public; and
  - To change the Comprehensive Plan designation from Rural Residential to Public.

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- The applicant also requests a Conditional Use to establish a cemetery on the newly zoned Public portion of the property;
- The property is located on Peter Road outside of Aumsville, and contains an existing church;
- Neighboring properties to north, west, and south are all zoned AR-3 and developed with rural home sites;
- Property to the east is zoned Exclusive Farm Use (EFU) and is in farmland and home sites;
- The hearings officer conducted a public hearing on February 13, 2019;
- A recommendation was issued that the request be granted on June 5, 2019, subject to conditions;
- The hearings officer found that the proposal satisfied all the applicable comprehensive plan, zone change, and conditional use criteria, as well as all state wide goals and county policies;
- The hearings officer recommends approval of the application subject to three conditions:
  - That a limited use overlay be applied to the zone change:
    - This would allow the private cemetery as an accessory to the church on the same property; and
    - All other uses in the P zone would require a conditional use permit.
  - That applicant provide evidence that access requirements for the Aumsville Fire Department are met; and
  - Any necessary permits regarding the well have been obtained by the Oregon Water Resources Department.
- Options for the board to consider:
  - Continue the public hearing;
  - Close the hearing and leave the record open;
  - Close the hearing and approve, modify, or deny the request; or
  - Remand the matter back to the hearings officer.

***Board discussion:***

- The current AR zone of the property allows a church, which is under construction; and
- The zone change would only apply to the two acre portion planned for the cemetery.

*Testimony:*

*Support:*

Norman Bickell

- Mr. Fennimore covered most of the information he would have presented;
- A public hearing was held, and there was no opposition;
- The hearings officer reviewed the file and all submissions and noted that the applicants did comply with all zone change and comprehensive plan provisions;
- The cemetery will be a private cemetery for the church and its members;
- No public access will be allowed;



- A temporary fence and gate have been constructed.
- The property lies behind the church and should not present any conflicts with the neighboring properties.

**Board discussion:**

- Mr. Bickell believes the conditions presented are appropriate.

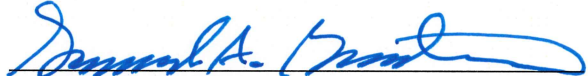
**MOTION:** Commissioner Brentano moved to close the public hearing and approve the application subject to the proposed conditions outlined in the recommendation for Zone Change/Comprehensive Plan/Conditional Use (ZC/CP/CU) Case #18-008/Apostolic Christian Faith of Silverton. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

Commissioner Willis read the calendar.

Commissioner Cameron adjourned the meeting at 9:58 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

**Board Sessions can be viewed on-line at**

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