

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, July 7, 2021  
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.

**PUBLIC COMMENT**

None.

**PRESENTATION**

*(Video Time 00:1:05)*

Wildfire recovery update. –Scott McClure

- It has been 10 months since the Santiam Canyon wildfires;
- There are an estimated 697 homes located in the Santiam Canyon, within Marion County, that need to be repaired or replaced:
  - An estimated 27 percent have had building permits issued; and
  - An estimated 38 percent have had septic permits issued.
- The number of building permits issued by cities is as follows:
  - Gates- 31;
  - Detroit- 46; and
  - Unincorporated areas- 112.
- The number of septic permits issued by cities is as follows:
  - Gates- 42;
  - Detroit- 81; and
  - Unincorporated areas- 140.
- The following are grant funded recovery projects being led by the county:
  - Financial needs analysis:

- Assisting the cities of Gates and Detroit with reconstructing their accounting records; and
    - Assisting cities with developing new budgets.
  - Communications and outreach:
    - A communications and outreach firm has been hired to work on a communications plan:
      - The firm is working to make the Santiam Recovery website the main website for disseminating information to residents in the canyon.
  - Economic impact and opportunities analysis:
    - The contractor has been selected and a contract is close to being executed.
  - Health impact assessment:
    - The physical and mental health of residents will be assessed by Oregon State University (OSU):
      - An Intergovernmental Agreement with OSU has been approved by the county and sent to OSU for review.
  - Community visioning and strategic plans:
    - The contractor has been selected and a contract is close to being executed:
      - There will be separate plans for the cities of Gates and Detroit.
  - Legislative Advocacy:
    - Following are some of the legislative funded projects taking place:
      - Sewer and septic repair and replacement for an estimated \$50 million;
      - Detroit water system for an estimated \$3 million;
      - Gates water meter replacement for an estimated \$25,000;
      - Detroit/Idanha Fire Station for an estimated \$2.4 million;
      - Lyons/Detroit summer EMS services for an estimated \$300,000;
      - Gates main street improvements for an estimated \$600,000;
      - Fee waiver revenue loss for an estimated \$787,860:
        - This is revenue loss due to fee waivers for building and septic permits for both Marion County and Linn County.
      - Federal Emergency Management Agency (FEMA) cost share for Drakes Crossing Fire Department for an estimated \$5,000;
      - Building and Planning Department staffing for an estimated \$1.25 million; and
      - Gates/Detroit operational needs for an estimated \$772,000.
    - There will be a community meeting to review the response to the wildfires of 2020:
      - The meeting will be Thursday, July 22, 2021 at the Santiam Junior/Senior High School gym.
    - The temporary water system in Detroit is close to reaching its limits on weekends:
      - The county is close to submitting plans to FEMA for a permanent water system.

***Board discussion:***

- Commissioner Bethell provided an update on the current housing efforts:
  - A survey has been sent to the community to try and assess what the needs are;
  - There are a lot of families living in RVs on their own land who were not insured, and they are not financially able to rebuild;
  - The county met with Oregon Housing and Community Services to request funds to help families rebuild;
  - The county is working with several non-profit partners who may be able to provide donated labor for the rebuilding efforts; and
  - Through the survey families are being partnered with organizations that may be able to help with the recovery.
- Marion County is assisting Linn County with their recovery efforts; and
- The rebuilding of affected communities could take five to ten years.

**CONSENT**

*(Video Time 00:18:56)*

**BUSINESS SERVICES**

Approve Amendment #1 to the Purchase Order with Bargreen Elligson to add \$5,142.62 for a new contract total of \$104,235.62 to modify the standard flooring for the Marion County Jail Walk-in Refrigerator/Freezer Replacement project to a more reinforced flooring that supports additional weight.

**SHERIFF'S OFFICE**

Approve Amendment #3 to the incoming funds Intergovernmental Agreement with the Oregon State Hospital to add \$150,000 for a new contract total of \$2,570,000 for on-call and emergent medical transport services for Oregon State Hospital Guilty Except for Insanity (GEI) clients provided through June 30, 2021.

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

**ACTION**

*(Video Time 00:20:14)*

**HEALTH AND HUMAN SERVICES**

1. Consider approval of Amendment #2 that reinstates the Contract for Services with Mid-Valley Rep Payee and add \$30,000 for a new contract total of \$125,000 to provide representative payee services to individuals receiving mental health services retroactive from May 1, 2021, through December 31, 2021. –Cydny Nestor and Alexis Kruse

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**Summary of presentation:**

- Representative payees are approved by the Social Security Administration and provide the following support:
  - Representative payees are assigned to individuals receiving social security who have mental health capacity limits that make it challenging to manage their social security benefits on their own; and
  - Representative payees help individuals manage their social security benefits.
- Marion County utilizes representative payees for individuals leaving the state hospital, and for qualified individuals in the community.

**Board discussion:**

- The county is responsible for providing representative payee services to qualified individuals; and
- The representative payee has the legal responsibility for the services provided.

**MOTION:** Commissioner Bethell moved to approve Amendment #2 that reinstates the Contract for Services with Mid-Valley Rep Payee and add \$30,000 for a new contract total of \$125,000 to provide representative payee services to individuals receiving mental health services retroactive from May 1, 2021, through December 31, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

*(Video Time 00:24:40)*

2. Consider approval of Amendment #24 to the incoming funds Intergovernmental Agreement with the Oregon Health Authority to remove \$41,909.29 for a new contract total of \$18,807,588.92 to operate and contract for public health services through June 30, 2021.

–Ryan Matthews

**Summary of presentation:**

- The contract funds public health services;
- The total contract dollars are larger than normal due to COVID-19 funding that was passed through Oregon Health Authority (OHA) to the county;
- The removal of \$41,909.29 from the contract is for funds the county is not going to spend including the following:
  - The actual costs for wrap around supports for individuals who needed to isolate due to COVID-19 were approximately \$32,576 less than originally budgeted for; and
  - Approximately \$9,000 of funding for Program Element 46 was removed:
    - Marion County notified OHA that the county was opting out of Program Element 46 of the contract.

**Board discussion:**

- Primary care providers and other healthcare providers already provide the majority of reproductive health services within the county:
  - The county does not see a need to be an actual provider of these services; and
  - Individuals who do not have insurance can contact Public Health for assistance.
- The state is encouraging counties to move away from the direct provision of services.

**MOTION:** Commissioner Bethell moved to approve Amendment #24 to the incoming funds Intergovernmental Agreement with the Oregon Health Authority to remove \$41,909.29 for a new contract total of \$18,807,588.92 to operate and contract for public health services through June 30, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

*(Video Time 00:32:46)*

3. Consider approval of the incoming funds Intergovernmental Agreement with the Oregon Health Authority in the amount of \$2,581,677 to operate and contract for the operation of public health services through June 30, 2023. –Ryan Matthews and Katrina Rothenberger

**Summary of presentation:**

- The funding amount appropriated is for the first fiscal year of the contract:
  - The \$2,581,677 represents funding for core public health services for Fiscal Year 2021-22;
  - The fund amount is consistent with what the county has historically received; and
  - A larger amount was received in the prior fiscal year due to one-time COVID-19 funding.
- Amendments to the contract may be required to carryover unspent COVID-19 funding.

**Board discussion:**

None.

**MOTION:** Commissioner Bethell moved to approve the incoming funds Intergovernmental Agreement with the Oregon Health Authority in the amount of \$2,581,677 to operate and contract for the operation of public health services through June 30, 2023. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

*(Video Time 00:36:00)*

## LEGAL COUNSEL

4. Consider approval of an order authorizing Marion County Counsel to negotiate with the entities that have already filed opioid litigation on behalf of Oregon local entities. –Jane Vetto

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

- The county decided several years ago to not join a class action lawsuit with other local entities:
  - The lawsuit was filed against pharmaceutical companies as part of the fight against the opioid epidemic.
- The pharmaceutical companies do not want to settle unless they can be assured that there will be no further lawsuits in Oregon:
  - If there is 100 percent participation of Oregon counties the pharmaceutical companies will consider sending settlement money directly to the counties; and
  - If 100 percent of counties do not participate the settlement money will be sent to the state.
- The board has indicated that they are willing to participate;
- The board order would be submitted to the litigating counties, and then shared with the opioid manufacturers; and
- Settlement funds would be used to augment current county programs.

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

- This was discussed in a previous meeting.

**MOTION:** Commissioner Bethell moved to approve an order authorizing Marion County Counsel to negotiate with the entities that have already filed opioid litigation on behalf of Oregon local entities. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

*(Video Time 00:40:07)*

## PUBLIC WORKS

5. Consider adopting an administrative ordinance granting Zone Change (ZC) Case #21-002/J. Conser and Sons, LLC. –Ryan Dyar

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

- The zone change is for a change from commercial retail to commercial office on property located at 4080 State Street in Salem;
- The hearings officer held a public hearing on the application on May 13, 2021;
- The hearings officer issued an approval decision on the zone change on June 1, 2021 subject to conditions:
  - The conditions can be found in Exhibit B.
- The board received the decision and held it for the mandatory appeal period:
  - No appeals were filed.
- The board has the following options:
  - Adopt the ordinance as written;

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- Direct staff to prepare a modified ordinance; or
- Choose not to adopt the ordinance at this time.
- Staff recommends adopting the ordinance as written.

***Board discussion:***

- There are currently no development plans for the property;
- There is a single-family home on the property; and
- Commercial office zoning allows for more flexibility in terms of residential development.

**MOTION:** Commissioner Bethell moved to adopt an administrative ordinance granting Zone Change (ZC) Case #21-002/J. Conser and Sons, LLC. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

*(Video Time 00:43:23)*

6. Consider adopting an administrative ordinance granting Zone Change (ZC) Case #21-003/J. Conser and Sons, LLC. –Ryan Dyar

***Summary of presentation:***

- The zone change is for a change from commercial retail to commercial office on property located at 4712 Silverton Road NE in Salem;
- The hearings officer held a public hearing on the application on May 13, 2021;
- The hearings officer issued an approval decision on the zone change on June 1, 2021 subject to conditions:
  - The conditions can be found in Exhibit B.
- The board received the decision and held it for the mandatory appeal period:
  - No appeals were filed.
- The board has the following options:
  - Adopt the ordinance as written;
  - Direct staff to prepare a modified ordinance; or
  - Choose not to adopt the ordinance at this time.
- Staff recommends adopting the ordinance as written.

***Board discussion:***


- The commissioners asked what the process would be if they wanted to modify the ordinance:
  - Mr. Fennimore, Marion County Planning Director, explained the process would be as follows:
    - The commissioners would need to identify the areas they wanted changed:
      - The following items may be modified:
        - Findings;
        - Wording of the ordinance; and
        - Conditions may be added.


**MOTION:** Commissioner Bethell moved to adopt an administrative ordinance granting Zone Change (ZC) Case #21-003/J. Conser and Sons, LLC. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

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

None.

Commissioner Bethell read the calendar;  
Commissioner Cameron adjourned the meeting at 9:59 a.m.

  
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CHAIR

  
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COMMISSIONER

Not Present At Meeting  
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COMMISSIONER

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