



Management Update summary Minutes

OREGON

June 06, 2023. 9:30 AM

Courthouse Square, 555 Court St. NE, Salem
5th Floor, Suite 5232, Commissioners Board Room

ATTENDANCE:

Commissioners: Colm Willis, Kevin Cameron, and, Danielle Bethell Staff: Matt Lawyer, Chad Ball, Scott Norris, Dennis Mansfield, Justine Flora, William White, Roxanne Toepfer, Matt Knudson, Chris Einmo, Ryan Crowther, Shane Ottosen, Lani Radtke, Max Hepburn, Tamara Goettsch, Jon Heynen, Alvin Klausen, Jessica Stanton, Shawnnell Fuentes, Kelli Weese, and Chris Eppley.

Commissioner Colm called the meeting to order at 9:30 a.m.

INFORMATIONAL:

Legislative Update:

-Alvin Klausen

Summary of presentation:

- 3 weeks until sine die and no sign of compromise;
 - Talked to many and no one sees either side compromising on their values;
 - Republicans state they will be there on the last day Democrats state that will not happen;
- SB 488 – Relating to municipal solid waste incinerators;
 - Requires owner and operator of municipal solid waste incinerator to develop a plan for continuous monitoring or sampling of specified emissions for 12 consecutive months;
 - Passed through Ways and Means but on a very partisan vote;
 - Can't see getting to the floor for a vote;
 - Watered down significantly;
 - Started at 12,000 tons of medical waste being incinerated – moved up to 18,000 tons;
 - Which is Covanta's current contract;
 - Need to test for 15 elements;
 - Covanta tests for 4 and the technology exists to test for 1 more;
- Pac/West Update;
- Mossman Letter;
 - Sign-ons;
 - City of Woodburn;
 - City of Aurora;
 - Benton County;
 - Klamath County;
 - Coos County;
 - Keizer Police;

- Lincoln County;
- City of Aumsville;
- City of Keizer;
- City of Jefferson;
- Clatsop County;
- Linn County;
- Yamhill County;
- Polk County;
- Harney County;
- Clackamas County;
- Wasco County;
- Deschutes County;
- Adapt Health Care;
- And potentially;
 - Washington County
 - Jackson County;
 - Will give an answer today;
- Did not hear from Stayton or Sublimity;
- Mill City had a conflict;
- Multnomah County stated they would send their own letter;
- Lane County had a conflict;
- Asked every city in Marion County;
 - 5 cities responded;
- Letter of Opposition;
 - Salem implementing an employee-paid payroll tax;
 - City of Salem has a deficit coming up;
 - \$15 million revenue short fall coming June 30th 2026;
 - General fund will be short;
 - Not including needing \$9.6 million to continue housing projects;
 - June 30th, 2025 – Salem’s Navigation Center will close if funding is not found;
 - Three options – may implement all options;
 - Pay-roll Tax;
 - .81% or greater. \$407 a year for \$50,000. \$814 a year for \$100,000;
 - Increase the City Operation Fee;
 - \$5.50 for residential customers, \$4.40 for multi-family units, and \$26.51 for industrial commercial, or institutional customers;
 - Tied to the water bill;
 - Local Option Levy;
 - Option for local levy for a maximum of 5 years;
 - Would not like this as they would like a constant option and;
 - At \$1 over minimum wage taxing would start at .81%.

Board Direction:

- Mosman Letter - Commissioner Willis will make phone calls to the cities that did not reach out;
- Letter of Opposition - The Board of Commissioners (BOC) is good to sign and;
- The BOC is good with the update.

Land Development Engineering & Permits (LDEP) Practice Memorandum: Existing Non-Conforming Access Materials on Rural Roadways and Access Self- Inspection Procedures

-Max Hepburn, Lani Radtke, Scott Norris

Summary of presentation:

- Was previously discussed at the Roads and Bridges Work Session;
- Project started to figure out how practices can be implemented;
- In November memos were brought to the BOC for review;
 - It was signed at the end of November;
- Phase Two of the project;
 - First practice – Existing non-conforming access materials;
 - Second practice – Self-inspection procedure for access reviews;
- First Practice - Existing non-conforming access materials on rural roadways;
 - Initial draft identified concrete approaches in existence as of 2016;
 - Scott Norris (Legal) ensured that other materials can be captured;
 - Bricks, pavers, and other;
 - If access can be verified to be safe existing in a non-conforming (gravel, asphalt) material on a rural roadway the property owner can sign the acknowledgment form;
 - Will relieve the County of liability in the event of damage due to maintenance such as resurfacing, or construction that the County permits or conducts;
 - As long as it is safe there is no need to modify it to asphalt or gravel;
 - Prior to the County digging up driveways and made them asphalt or gravel;
- Second Practice – Access self-inspection review procedure;
 - Currently when applying for structural building permits staff review driveways for safety;
 - Vision, spacing, material surfacing, the slope for emergency services, clearing out the culvert, proper drainage;
 - Takes time and effort;
 - During construction season there is a backlog;
 - Spring and Summer;
 - Property owner doing a structure that fits within the qualifications (a driveway already in place);
 - Saves staff time;
 - Owners to submit data online;
 - Quick in-office review;
 - With direction sent to the owner, if needed;
 - Serve customers quickly;
- Per the BOC's request added that there will be a response within 5 business days;
- There will be user error due to these new practices not everyone will qualify;
- Not everyone will qualify for these new practices and;
 - It will help with the backlog.

Board Direction:

- Commissioner Bethell would like an email to be added for images to be sent to;
 - If the Oregon ePermitting System does not work;
- The BOC is good to proceed and;
- Speak to Chad Ball to get to Board Session on consent.

Center St: Lancaster Drive to 45th Place NE – Right of Way Acquisition at Vacant lot adjacent to AMF Bowling Alley Property

-Ryan Crowther, Shane Ottosen Jr.

Summary of presentation:

- Acquiring a parcel with a significant amount of property;
 - Appraisal values at \$104,600;
 - For regional stormwater facility;
 - In vacant lot adjacent to Firebird Lanes;
- Have received right of entries from the property;
- Starting right-of-way acquisition process;
- Process;
 - Appraisal;
 - Present offer;
 - Opportunity to counteroffer or bring more information;
 - There is possibility of dollar amount changing;
 - Process just started so no offer has been presented;
- Firebird Lanes owns two parcels;
 - This is the larger of the two;
 - Second parcel will require less than \$10,000;
- Acquiring;
 - Drainage easement;
 - Permanent right-of-Way easement;
 - Temporary construction easement;
 - Will be in place to allow to construct the stormwater facility;
- Nothing will be bought all will be done as easements;
- There will be a fence around the stormwater facility;
- There are 30-odd easements for this property;
 - Most fall under Brian Nicholas's acquisition authority;
 - Since this is over \$100,000 it comes before the BOC;
- The process is still months away;
- Appraisals have just been done;
- Had preliminary discussions with the property management team and;
 - Stated they are open to the idea but depends on the terms

Board Direction:

- Let the BOC know if the deal is not working out and;
- The BOC is good to proceed.

All-Road Transportation Safety (ARTS) Cordon Road Turn Pockets (Hayesville Drive and Kale Street – Temporary Work Zone Speed Reduction

-Ryan Crowther, Shane Ottosen Jr.

Summary of presentation:

- Construction contract came to Board Session;
 - Needed construction schedule before presenting speed reduction and;
- Lower speed limit in construction zone from 55 miles per hour (MPH) to 45 MPH.

Board Direction:

- The BOC is good to proceed.

Scope of Consultant Services for American Rescue Plan Act (ARPA) – Funded Brooks Service District Capital Project

-Chris Einmo, Matt Knutsen

Summary of presentation:

- The Brooks Community Service District want to go forward with a continuation of the 2021 Brooks Future Plan;
 - Some work was done under a previous contract by Keller;
 - Resulting in a memorandum;
- Build on previous effort to move ahead with the water and wastewater master planning;
- Intent to present to the district at the June 28th meeting;
- Future plan recommended two next steps;
 - Water System;
 - To develop a feasibility study;
 - Water masterplan;
 - Sewer System;
 - To develop a facility plan;
 - Road map for the future sewer system;
- Current sewer system has capacity for existing developments but has limitations on future growth;
 - Currently it is a step system. Everything does to septic tanks, pumping out to a pressurized system;
 - Very high maintenance maintained by the County;
- Searching for the most advantageous option for the district;
- Current option;
 - Continue building more step systems;
 - Treatment consists of expanding the lagoons and building capacity;
 - Plan to transition to a full conventional sewer system conversion;
 - Gravity systems, lift stations;
 - Would need to go to a full treatment plant;
 - There is not enough ARPA funding to build this;
- Keller Associates was selected to be the consultant;
 - Chris Einmo is in the process of negotiating the scope and fee;
- Preliminary work has been done – master planning study;
- Decision is needed for which way to go;
- There is limited funding for the water and sewer system;
- Scope will get through the master planning process;
 - The chosen project will be the system the district will build out over time;
- Purpose of the master plan is to identify the alternatives;
 - Get as much information and breakdown it down to see the bottom line;
 - District will be informed of the chosen project;
- Third alternative – hybrid system;
 - Keep existing step system;
 - New customers would come on to gravity;
 - There would be a transitional plan;
 - This would be presented as well;
- Overall contract for water and sewer is roughly \$432,000;
 - For the scope of work;
 - Negotiations have not finished;
- Hope to present the final negotiated contract;
 - Contract will be to explore the three options;
 - There will be an open house to present the alternatives;
- One Open House planned with online outreach;

- Water feasibility study;
 - The goal is to explore all the options;
 - Existing arrangement with Chemeketa is not long term feasible;
 - Will have cost information available;
 - Can try a hybrid system and;
 - Have multiple supplies.

Board Direction:

- Commissioner Bethell wants to make sure that the whole district is involved and talked to;
 - Make sure people are reached out to and;
- The BOC is good to proceed.

Mercury Total Maximum Daily Load Compliance: Enforcement of Prohibited Pollutants

-Matt Knudsen, Roxanne Toepfer

Summary of presentation:

- Last summer discussed how the total maximum daily load works in the Willamette Valley;
 - Tied to turbidity;
 - Atmospheric deposition of mercury occurs, erosion causes turbidity causing increases of mercury;
- Department of Environmental Quality (DEQ) created a water quality management plan;
 - Outlines what steps need to be taken;
 - Need to submit a plan to DEQ what are our steps of compliance are;
- TMDL Timeline;
 - First two steps were simple as the County already complies;
 - Step 4 – Pollution Prevention & Good Housekeeping;
 - Best management practices that are employed within the road operations group;
 - Requirement is met;
 - Step 5 – Public Education & Outreach;
 - Good education outreach program in place;
 - Stormwater management and partially County wide;
 - Requirement met;
 - National Pollutant Discharge Elimination System (NPDES) permit acquired;
- Step 6 – Enforcement of Prohibited Pollutants Important;
 - NPDES permit needs to be County wide;
 - Have an illicit discharge detection and elimination program in the NPDES area;
 - Not outside the area;
 - If pollution happens within the stormwater management area there is a process in place that allows to enforce;
 - DEQ requires to at least expand to County wide for turbidity;
- Current procedures;
 - Inside the Stormwater Management Area;
 - Educational approach;
 - Get them resources and let them know it is against code;
 - If it continues goes into enforcement;

- Outside the Stormwater Management Area;
 - Can't just provide education;
 - Rural Marion County (mostly unincorporated areas);
 - Report to DEQ, Oregon Department of Agriculture, or Department of Forestry;
- The bare minimum requirement is regulating for turbidity;
 - Must respond to turbidity complaints;
 - If it involves a specific department it is turned into that department;
 - If non-departmental then Marion County takes it on;
 - Does not happen often, about 5 calls a year;
- Proposed Options;
 - Option 1;
 - Expand the Illicit Discharge Program County wide;
 - Currently have processes in place;
 - Simplified process in place for property owners;
 - Provide education;
 - If problem persists, go through an enforcement process;
 - Through DEQ goes straight to enforcement;
 - Includes all pollutants;
 - Oil, chemical discharge;
 - DEQ would route all calls to Marion County;
- The Illicit Discharge Detection Elimination Program has specific pollutants that are targeted and an enforcement process;
 - If Option 2 is the proposed option, the pollutants beyond the specific requirements would potentially go to DEQ;
 - Marion County's process and regulations;
 - Can decide what pollutants to target up to a point;
 - In the Stormwater Management Area stated what to look for;
 - Activities - petroleum, herbicides that can't be discharged;
- DEQ has not dictated that certain things have to be in place;
- Nothing has to be in place until March 2024;
- Potential Next Step;
 - Take both options;
 - Create ordinance language;
 - The BOC reviews and decide which to choose;
- There have been 10-20 complaints/notifications of violations;
 - Zero enforcements;
 - Typically the educational approach works and;
- Bare minimum is expanding the turbidity.

Board Direction:

- The BOC is good to proceed.

John Deere Financial – Pape Machinery

-Dennis Mansfield

Summary of presentation:

- New contract purchase order for Pape and John Deere;
- Several heavy pieces of equipment from John Deere;
 - Purchase parts and have repairs done;
- Typically spend \$80,000 to \$90,000 year with Pape;

- This year there is a large repair that will exceed \$100,000 purchase limit;
- Purchase order was going to be amended to include repair;
 - Noted new contract through Sourcewell, which started in April;
- Will come to Board Session for approval of Contract Purchase Order (PO) for the next several years;
 - Total of \$400,000 through April 2027;
- Service contract to be able to take equipment to John Deere for repairs;
- Grater needs new transmission;
 - \$56,000 cost;
- Finance has approved using Sourcewell contract;
- Request for Procurement (RFP) not done as it is not competitive and;
- Entering a contract until April 2027 with Pape to do service repair work on Public Work's Equipment.

Board Direction:

- The BOC is good to proceed.

Amendment No. 2 to option and Lease Agreement Verizon Wireless

-Dennis Mansfield

Summary of presentation:

- Cell tower on property at Public Works. Was installed in 2000;
- Extends contract for a total of 25 years;
 - 5 year agreement with 4 options to extend;
- Agreement begins December 2025;
 - They start early in case the space becomes unavailable;
- Brings in roughly \$20,000 a year on revenue;
 - \$98,000 for 5 years;
 - 15% increase every new 5-year term and;
- Able to withdraw after a five-year term.

Board Direction:

- The BOC is good to proceed.

Introduction to William White, Marion County Loss Control Coordinator

-Justine Flora, William White

Summary of presentation:

- Will be around the building leading the safety and loss control;
- 20+ years of experience in occupational safety, industrial hygiene, risk management;
- Worked in public entities, civil construction, worker's compensation companies, safety consulting;
 - Varied background that helps meet the needs;
- Licensed in insurance, property casualty, life and health;
- Completed evacuation chair training last week;
 - Will begin training the whole building in this;
- Lives in the Salem area;
 - Move here in 1997;
- Had an insurance agency and worked for a commercial agency in Eugene;
- Worked at the Salem-Keizer School District as a risk manager;
- Safety consultant to state agencies with State Accident Insurance Fund (SAIF);
- Has experience working with police officer and sheriffs;
- Civil construction;

- Worked with the company that built Keizer Station;
- Previous Loss Control Coordinator (Gary Hales) was on a few work groups with William years ago;

Board Direction:

- The BOC prefers not to do test evacuations during board sessions

Emergent Economic Opportunity Program (EEOP) – Resilient Headwaters Coalition

-Kelli Weese

Summary of presentation:

- Discuss application that was received for the EEOP;
- Resilient Headwaters;
 - Requesting \$28,950 from the BOC;
 - Concept plan for trail improvements in the Santiam Canyon;
- Total project cost is \$182,250;
- Current Funding;
 - Travel Salem;
 - Willamette Valley Visitors Association;
 - Travel Oregon Grant;
 - Travel Oregon Contract;
 - Currently funded at \$107,400;
 - Tentative funding for \$35,000;
- Will likely end up in next year’s budget;
 - 2023-2024;
- \$150,000 budgeted for the next fiscal year in EEOP;
- \$130,000 for this fiscal year in EEOP;
 - None has been spent;
 - Will Likely spend;
 - \$30,000 for Willamette Falls Locks;
 - Silverton Rotary;
- Spoke about giving \$15,000 for awhile;
 - Prepped EEOP;
 - Gave go ahead to apply;
 - It took them a month and half to apply and;
 - Then they changed the request from \$15,000 to \$28,000.

Board Direction:

- Commissioner Willis asked to use money from this year or have it rolled over and;
- The BOC is good to proceed.

KYAX Canyon Radio Contract Extension Request

-Kelli Weese

- Current contract was done last April for a year;
 - Expires at the end of June;
 - Have not been able to complete all the tasks;
 - Pending Federal Communications Commission (FCC) licensing;
 - Think it will be complete early 2024 and;
 - Would like to extend the contract to June 2024.

Board Direction:

- The BOC is good to proceed.

COMMUNICATIONS UPDATE

-Jon Heynen

Summary of presentation:

- Marion County Today:
 - With Select Impressions;
 - Had edits from two commissioners;
 - Jan Fritz discussed to add new Sheriff information;
 - Contract has processed with RFP for Eagle Web Press;
 - They only company to bid;
- GoGov;
 - Meetings scheduled with vendors to get estimates;
 - Then can go forward with GoGov;
- Video Series on Trash;
 - Found videographer that can meet timeline;
 - Finalizing script with Public Works;
 - Schedule shooting time;
- Marion County Reentry Initiative (MCRI);
 - Meeting scheduled with talent later this month;
 - Book equipment with Capitol Media;
- New Employee Orientation (NEO) Videos;
 - Once equipment is booked schedule with Commissioners to make videos;
 - Early to mid-next month;
 - Capitol Media is booked through June;
- New photo with all three commissioners in a nature setting;
 - For the cover of Marion County Today;
- Schedule time this week to film a video announcing the Marion County Fair;
 - The Made in Marion Pie eating and contest;
 - Promote internally;
- Cover photo of Marion County today needs to be done this or next week;

Board Direction

- Marion County Today – will add article about introducing new Sheriff;
- Go to the North Fork Road to get a picture with all three commissioners;
 - Do next week's BOC/Chief Administrative Officer meeting on the road;
- Create the video with the footage that was filmed regarding Health;

COMMISSIONERS' COMMITTEE ASSIGNMENTS and UPDATE

Commissioner Danielle Bethel

•

Commissioner Kevin Cameron

•

Commissioner Colm Willis

•

OTHER

Brian Nicholas and Scott Norris – Emergency Declarations for Road Repair;

- Will bring emergency declaration next Wednesday;
 - Procurement process can begin;
- Would like to go through the emergency contracting process;
- Straight forward to put together the declaration;

- It will be executed by the board;
- Will be added to the agenda later this week;
- Landslide on Abiqua Road and stream erosion on Newsom Road;

Board Direction

- Chad Ball to let Brenda Koeing know that the declaration is coming;

Lani Radtke - North Fork Road and Parking;

- Can bring to management update next week if needed;
 - It is moving quickly;
- At the May 11th Work Session an action item was defining the parking management plan through the corridor;
 - Agreement on generally limiting parking on the side of the road that was not at the river;
- Traffic engineering team went out;
 - Identified limits;
 - Areas on the river side deemed unsafe for parking;
 - Entrances;
 - Limited visibility;
 - Steep banks;
 - Road safety;
- Graphic shows where the red paint will be placed;
- Minimal "No Parking" signs;
- Red paint is new application that is being attempted;
 - Will send the same message with minimal signs;
 - Every half mile instead of every 500 feet;
- Would like to present to the public;
 - Promised to be back at Elkhorn to discuss;
 - Would like to get to speak to the public as soon as possible;
 - Things are moving fast;
 - Resurfacing has finished;
 - Working on shoulder rocks;
 - In two to three weeks striping;
- Yellow indicates private property;
- Will place signs and have striping;
- Had red and yellow signs before the fire;
 - Will have something similar;
 - Per the BOC and the public's desire;
- Paint and special equipment had to be ordered for the project;
 - Could not add green as it used for bikes;

1:39:29

Adjourned – time: 11:09 am

Minutes by: Mary Vityukova

Reviewed by: Gary L. White