

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, October 20, 2021
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

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

Commissioner Cameron called the meeting to order at 9:00 a.m.
Commissioner Willis arrived at 9:02 a.m.

PUBLIC COMMENT

None.

CONSENT

(Video Time 00:00:55)

BOARD OF COMMISSIONERS

1. OLCC Applications – Recommended Approval

Half Pint Brothers, LLC, dba Half Pint Brothers at the Historic Butteville Store – Aurora, OR

CLERK’S OFFICE

2. Approve an order appointing Bob Riggi as Chairperson, and Jennifer Sasaki as Vice-Chairperson to the Chairpersons’ Pool and Gerald Bauman, Jack Yarbrough, and Micah Moskowitz to the Non office-holding Pool for the Marion County Board of Property Tax Appeals (BOPTA) with terms beginning November 1, 2021, through June 30, 2022.

FINANCE

3. Approve a quitclaim deed transferring Property Tax ID #R59026 from Marion County to grantees Shane Sumption and Lisa Van Laanen.

PUBLIC WORKS

4. Receive notice of hearings officer’s decision recommending approval for Zone Change/Comprehensive Plan Amendment (ZC/CP) Case #21-004/Anthony Arnautov and schedule a public hearing for November 10, 2021.

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

(Video Time 00:02:13)

Commissioner Cameron expressed the following in regards to the Marion County Board Session meeting that was held on October 13, 2021:

- The terms of an amended contract on the board session agenda had changed;
- The original contract reflected that Marion County's former and now retired Chief Administrative Officer (CAO) had signed the contract:
 - The letters NA, Not Applicable, were listed on the signature lines that had been designated for the Marion County Board of Commissioners (BOC);
 - Marion County Legal Counsel reviewed the original document and determined that a board order had been signed by the commissioners in 2016, that authorized the CAO to sign contracts, documents, amendments, and notices that were related to a high-speed ballot envelope sorter on behalf of the BOC; and
 - All signatures pertaining to the original contract were signed appropriately.
- The Board of Commissioners office is hosting a fundraiser breakfast to benefit the United Way organization:
 - The fundraiser event is open until 10:00 a.m.; and
 - Individuals that wish to support the United Way organization are encouraged to attend.

(Video Time 00:04:02)

ACTION

JUVENILE DEPARTMENT

5. Consider approval of the incoming funds Grant Agreement with the Oregon Department of Education in the amount of \$463,417 to provide Juvenile Crime Prevention (JCP) funding for programs to reduce crime in Marion County communities, retroactive from July 1, 2021, through June 30, 2023. –Troy Gregg

Summary of presentation:

- The Marion County Juvenile Department obtained the grant through the Youth Development Division (YDD);
- The grant is utilized for the Family Support Program (FSP):
 - The FSP is an early intervention program;
 - The program works with youth prior to entering the juvenile system; and
 - The program receives referrals from some of the following entities that have expressed concern for a youth that may be struggling:
 - Schools;
 - Police departments;
 - Neighbors of the youth; and
 - Family members.

- Two Probation Officers' (PO's) provide some of the following to the youth and their families:
 - Counseling services;
 - Support services;
 - Family support services; and
 - Referrals.
- The FSP plays an important role in providing early intervention.

Board discussion:

- The program serves an estimated 50 youth and their families each year;
- The program focuses on offering support to the parents and family members of a youth that may be struggling:
 - The family members may be concerned with the possibility of the youth interacting with the police:
 - The program provides an opportunity for assistance before the police interaction occurs.
- Prior to the COVID-19 pandemic, there was a waiting list for individuals and families that wished to participate in the program;
- It is important for families to have access to resources:
 - Community resources may be available;
 - Having an individual available to help families navigate the system to find available resources is important;
 - Helping families find the right resources at the right time is paramount; and
 - Lack of resources or finding available resources can be challenging.
- The removal of School Resource Officers (SRO's) in Salem-Keizer Public Schools is concerning:
 - SRO's in Marion County schools are not police officers;
 - SRO's are positive touch points that help students connect with resources; and
 - They help prevent youth from continuing further into the criminal justice system.

MOTION: Commissioner Willis moved to approve the incoming funds Grant Agreement with the Oregon Department of Education in the amount of \$463,417 to provide Juvenile Crime Prevention (JCP) funding for programs to reduce crime in Marion County communities, retroactive from July 1, 2021, through June 30, 2023. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:10:58)

PUBLIC WORKS

6. Consider approval of an order appointing Brian Sund as Vice-chair of the Solid Waste Management Advisory Council (SWMAC) with a term ending April 30, 2022. –Brian May

Summary of presentation:

- The Solid Waste Management Advisory Council (SWMAC) was established in February 1989:
 - The council provides recommendations to the board of commissioners and environmental services staff on items related to solid waste, which includes some of the following:
 - Reduction;
 - Reuse;
 - Recycling;
 - Compost; and
 - Disposal.
- Council members are appointed by the board of commissioners and serve a four-year term;
- SWMAC is comprised of the following:
 - Eight citizen-at-large positions; and
 - Eight business and industry positions.
- Recent activities that council members are addressing include some of the following:
 - Updating and reviewing the master recycling course;
 - Beta testing the new recycling course;
 - Waste management related to unsheltered individuals:
 - The council team has been strategizing on some of the following:
 - Ways to properly dispose of the waste; and
 - Ways to reduce generation of the material.
 - The team anticipates sharing their findings with other jurisdictions.
 - Updating the SWMAC Handbook; and
 - Updating the SWMAC bylaws.
- The Oregon Department of Environmental Quality (DEQ) presented a five-year timeline related to legislation that was recently passed:
 - The legislation will impact future environmental services activities and programs.
- During a meeting held on September 28, 2021, SWMAC members unanimously approved Mr. Sund's appointment to vice-chair;
- Mr. Sund has been serving on the council since 2008;
- Mr. Sund expressed the following:
 - He became interested in recycling in high school where the first Earth Day was celebrated in 1970;
 - He attended Willamette University and participated in recycling events;
 - He is a retired teacher;
 - He served as a special educator at South Salem High School (SSHS) for 27 years; and

- He started a recycling program during his tenure at SSSH.

Board discussion:

- The commissioners requested there be ample time to review the updated bylaws before they are voted on during a Marion County Board Session meeting;
- The council has open vacancies for the following:
 - A Chamber position; and
 - Two Citizen-at-Large positions:
 - Community members are encouraged to apply.
- The commissioners expressed their appreciation to Mr. Sund for volunteering; and
- It is important to have engaged members on the SWMAC board.

MOTION: Commissioner Bethell moved to approve an order appointing Brian Sund as Vice-chair of the Solid Waste Management Advisory Council (SWMAC) with a term ending April 30, 2022. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:24:35)

7. Consider approval of the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation (ODOT) in the amount of \$800,000 of which an estimated \$717,840 will be paid with federal funds and the county will provide an estimated \$82,160 for the preliminary engineering and right-of-way phase for the State Street: 4106 State Street to 46th Avenue Improvement project through October 20, 2031. –Ryan Crowther

Summary of presentation:

- The project is located on State Street in the City of Salem;
- Currently the street has two lanes traveling in opposite directions;
- Pedestrians are utilizing the bike lanes as a walking path to travel through the corridor;
- The project scope includes some of the following:
 - Construct a 12-foot continuous turn lane:
 - This allows vehicles to turn into driveways or side roads; and
 - It reduces congestion.
 - Construct a 6-foot bike lane;
 - Install planter strips;
 - Construct a 6-foot sidewalk;
 - Construct stormwater conveyance and treatment facilities; and
 - Install two enhanced pedestrian crossings with rectangular rapid flashing beacons:
 - The crossing locations will be determined in the design process once traffic engineers have reviewed the project area.
- Currently the project is only funded through the Preliminary Engineering (PE) phase and the Right-Of-Way (ROW) acquisition phase;
- Funding for the two phases entails the following:
 - The total estimated expense for PE and ROW is \$800,000;

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- An estimated \$717,840 in federal grant funds through the Salem-Keizer Area Transportation Study (SKATS) will be utilized for the project; and
- The county's contribution is estimated to be \$82,160.
- Public Works staff anticipates utilizing SKATS grant funding for the construction phase of the project:
 - Currently the construction phase of the project is estimated to be \$3,346,500.
- The preliminary schedule for the project entails the following:
 - Project design will start in 2022 and extend through 2025;
 - The Right-Of-Way (ROW) will occur in 2024; and
 - Construction is estimated to begin in 2026.
- The Intergovernmental Agreement's (IGA's) project term date is 2031:
 - The Oregon Department of Transportation (ODOT) provides 10 years for a project completion date; but
 - The county anticipates the project will be completed in under 10 years.

Board discussion:

- Marion County is responsible for providing the ROW acquisitions:
 - The county utilizes a contractor to perform some of the following:
 - Negotiations; and
 - Appraisals.

MOTION: Commissioner Willis moved to approve the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation (ODOT) in the amount of \$800,000 of which an estimated \$717,840 will be paid with federal funds and the county will provide an estimated \$82,160 for the preliminary engineering and right-of-way phase for the State Street: 4106 State Street to 46th Avenue Improvement project through October 20, 2031. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:29:45)

8. Consider approval of Amendment #1 to the Intergovernmental Agreement with the Oregon Department of Transportation (ODOT) to add \$864,918.88 of which an estimated \$691,689.82 will be paid in federal funds and the county will provide an estimated \$173,229.06 for a new contract total of \$2,907,405.13 for vessel and site improvements to both the Wheatland Ferry and the Buena Vista Ferry through September 30, 2024. --Ryan Crowther

Summary of presentation:

- The Wheatland Ferry was recently closed for 40 days to allow for ramp improvements:
 - Concrete was poured that needed time to cure and strengthen before the ferry could be utilized.
- The Wheatland Ferry is located north of the City of Keizer;
- The Buena Vista Ferry is located south of the City of Independence;
- The original IGA provided funding for some of the following:

- Procuring generators for both ferries;
- Installing the generators at both ferry sites;
- Constructing tie-off dolphins at the Wheatland Ferry site; and
- Ramp widening and rehabilitation at the Wheatland Ferry site:
 - The original concrete ramps needed to be removed and concrete was re-poured.
- Amendment #1 to the IGA provides additional funding for improvements to the Wheatland Ferry which entails some of the following:
 - Procure and install new vessel ramp lifts and a steering wench:
 - The current ramps are held by a cable;
 - The ramp lifts will be utilized to raise and lower the ramps; and
 - The lifts will improve operations for the ferry operator.
 - Hatch covers and lighting will be installed; and
 - Construct catwalks on the towers.
- The complete project budget to date entails the following:
 - The budget for the original IGA was \$2,042,486.25;
 - Amendment #1 adds the following:
 - An estimated \$691,689.82 in federal funding; and
 - An estimated \$173,229.06 will be provided by the county.
 - The new project total is estimated to be \$2,907,405.13.
- The project funding has a short turn-around time for the funds to be utilized:
 - The county has three years to utilize the funding once the funds have been received.
- The preliminary schedule for the project entails the following:
 - Project design will start in 2021 and end in 2022; and
 - Construction improvements are estimated to begin in 2023.

Board discussion:

- Road funds will be utilized to finance Marion County's portion for the project;
- It is anticipated that neighboring Yamhill County will provide some funding for the project:
 - Yamhill County residents will also benefit from the ferry improvements.
- Ferries may contribute to a reduction in emissions;
- Community members have the option to park their vehicles and walk onto a ferry to cross the river;
- Supply constraints have delayed the arrival of the generators:
 - The county anticipates the generators to arrive in the month of December.
- The generators will benefit both Marion and Yamhill Counties in the event of a power outage; and
- The generators will be installed at a higher elevation to prevent damage in the event the river rises to flooding levels.

MOTION: Commissioner Bethell moved to approve Amendment #1 to the Intergovernmental Agreement with the Oregon Department of Transportation (ODOT) to add \$864,918.88 of which an estimated \$691,689.82 will be paid in federal funds and the county will provide an estimated \$173,229.06 for a new contract total of \$2,907,405.13 for vessel and site improvements to both the Wheatland ferry and the Buena Vista ferry through September 30, 2024. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

***** Please note, a motion error was discovered while processing the minutes for Action Item #8. A motion was made to approve Amendment #1 to the Intergovernmental Agreement with the Oregon Department of Transportation to add \$864,918.88 of which an estimated \$961,689.82 will be paid in federal funds. The actual federal funds contribution is \$691,689.82. The total amendment amount of \$864,918.88 was correct.**

(Video Time 00:38:06)

9. Consider approval of the Public Improvement Agreement with Brown Contracting, Inc., in the amount of \$516,120 of which an estimated \$475,965.86 will be paid with state funds and an estimated \$40,154.14 will be paid by the county for the Marion County Intersections Improvements project through December 31, 2022. –Ryan Crowther

Summary of presentation:

- Project improvements will be performed at the following two locations:
 - The intersection of Ehlen Road and Butteville Road; and
 - The intersection of Silverton Road and Brush Creek Drive.
- The project improvements include some of the following:
 - Construct advanced warning flashers on the following primary roads:
 - Ehlen Road; and
 - Silverton Road.
 - Install vehicle detections on the approaching roadways:
 - Amber warning flashers on the signage will flash when a car approaches the intersection from the following two side roads:
 - Butteville Road; and
 - Brush Creek Drive.
 - Enhanced stop warnings on the approaching two roadways will be installed:
 - A red flashing beacon will be installed above the stop sign to draw a driver's attention.
 - Raised thermal plastic strips or rumble strips will transverse across Brush Creek Drive:
 - The rumble strips will alert drivers to an approaching stop sign.
 - Lighting will be constructed at both intersections to improve visibility at night.
- The project is funded through ODOT's All Roads Transportation Safety Grant Program;
- Brown Contracting, Inc. submitted the lowest project bid of \$516,120:
 - State funding for the project is estimated to be \$475,965.86; and

- The county will fund an estimated \$40,154.14.
- Construction will begin in October 2021; and
- It is anticipated that construction will be complete by December 31, 2021.

Board discussion:

- The project improvements will assist with corridor safety.

MOTION: Commissioner Willis moved to approve the Public Improvement Agreement with Brown Contracting, Inc., in the amount of \$516,120 of which an estimated \$475,965.86 will be paid with state funds and an estimated \$40,154.14 will be paid by the county for the Marion County Intersections Improvements project through December 31, 2022. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous


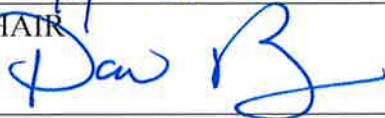
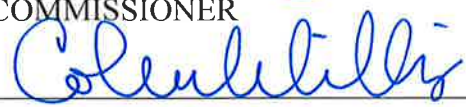
PUBLIC HEARINGS

9:30 A.M.

None.

Commissioner Bethell read the calendar.

Commissioner Cameron adjourned the meeting at 9:46 a.m.


 CHAIR

 COMMISSIONER

 COMMISSIONER

Board Sessions can be viewed on-line at

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