

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, December 1, 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.

(Video Time 00:01:04)

PUBLIC COMMENT

None.

CONSENT

(Video Time 00:01:50)

FINANCE

1. Approve a resolution authorizing a request for the distribution of grant funds in the amount of \$715,634 pursuant to House Bill 5006 for the estimated revenue lost in property tax year 2020-21 due to the September 2020 wildfires.

HEALTH AND HUMAN SERVICES

2. Approve Amendment #3 to the Contract for Services with Interface Network, Inc. to add \$18,696.77 for a new contract total of \$443,896.77 to provide culturally specific support for community access to temporary vaccination clinics and support for a Univision radio campaign through January 31, 2022.

HUMAN RESOURCES

3. Approve the recommendation to uphold the pay grade for classification code #358, Safety Specialist, update the class specification, move from non-exempt to exempt, and move from Unit 6 to Unit 12.

Board discussion:

- Commissioner Cameron expressed his appreciation to the legislative delegation that worked on Oregon House Bill #5006:

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- The bill appropriates funds to taxing districts that experienced revenue loss due to the 2020 wildfires.

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

ACTION

(Video Time 00:03:35)

BUSINESS SERVICES

4. Consider approval of a Purchase Order with Trane U.S., Inc. in the amount of \$1,293,317 to provide equipment, labor, and project management for the replacement of four Intellipak Rooftop Units and the upgrade of the HVAC control system through December 31, 2022.

–Terry Stoner and Wesley Miller

Summary of presentation:

- The Purchase Order is to replace the current Heating, Ventilation, and Air Conditioning (HVAC) system located at the Courthouse Square building:
 - Replacement of the HVAC system is an approved capital improvement project that was budgeted in the prior budget cycle.
- The current system was installed in 1999:
 - The life expectancy for the system was approximately 15 years; and
 - The county has provided funding for system repairs for approximately three to four years.
- The current system is an Intellipak Rooftop Unit manufactured by Trane U.S. Inc.:
 - Utilizing a different vendor will significantly increase the project workload and require some of the following:
 - Structural engineering;
 - Roof work; and
 - Curb modifications.
- A new system will potentially decrease energy consumption by an estimated 14 percent;
- The replacement project will be implemented in three phases:
 - Purchasing the equipment so that Trane can begin manufacturing;
 - Upgrading the HVAC control system:
 - Work for this second phase is anticipated to be performed in mid-summer.
 - Installing the equipment:
 - Work for this phase will be performed in October when temperatures are predicted to be cooler.
- Impacts to building operations are anticipated to be minimal if any.

Board discussion:

- A 350-ton crane will be utilized in two phases for the HVAC system replacement:
 - Crane operations will be performed on a weekend.

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- There may be no air conditioning or heat from the air handler for a couple of days in October:
 - Outside air will be moving through the system for cooling purposes; and
 - There will be heating capabilities within the building zones.

MOTION: Commissioner Willis moved to approve a Purchase Order with Trane U.S., Inc. in the amount of \$1,293,317 to provide equipment, labor, and project management for the replacement of four Intellipak Rooftop Units and the upgrade of the HVAC control system through December 31, 2022. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:11:12)

PUBLIC WORKS

5. Consider approval of the Purchase Order with Peterson Machinery Co. in the amount of \$323,827.21 for the purchase of one 2021 CAT 950 Loader. –Brian May

Summary of presentation:

- Loaders are utilized for solid waste activities at some of the following county locations:
 - The North Marion Recycling and Transfer Station; and
 - The Brown’s Island Demolition Landfill.
- The county has the option of utilizing some of the following attachments on the loader:
 - A bucket; and
 - A sweeper.
- The new equipment will replace the county’s current 12-year-old loader located at the North Marion Recycling Facility; and
- Staff recommends approval of the Purchase Order with Peterson Machinery Company.

Board discussion:

- The county’s existing loader has reached its end of useful life and will not be utilized for a trade-in:
 - The heavy equipment is incurring additional maintenance costs.
- It was suggested that the existing loader may be a useful education tool for a local college or career academy.

MOTION: Commissioner Bethell moved to approve the Purchase Order with Peterson Machinery Co. in the amount of \$323,827.21 for the purchase of one 2021 CAT 950 Loader. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:15:19)

SHERIFF'S OFFICE

6. Consider approval of the incoming funds Intergovernmental Agreement with the Oregon Department of Corrections in the amount of \$515,104 for the 2021 through 2023 Family Sentencing Alternative Pilot Program retroactive from July 1, 2021, through June 30, 2023.

–Commander Kevin Karvandi

Summary of presentation:

- The county has two primary prison diversion programs:
 - The Family Sentencing Alternative Pilot (FSAP) program; and
 - The Marion County Senate Bill (SB) 416 Prison Diversion Pilot Program:
 - The Oregon Department of Corrections (DOC) administers grants to counties for the purpose of providing programs that divert correction clients with primary custody of minor children, from prison to probation and community supervision.
- The program is a collaborative effort between the following entities:
 - The Marion County Sheriff's Office (MCSO);
 - The Marion County District Attorney's Office;
 - Marion County courts;
 - Bridgeway Recovery Services; and
 - The Oregon Department of Human Services.
- The program provides some of the following:
 - Wrap-around treatment services;
 - Mentoring; and
 - Employment services.
- Program benefits include:
 - Keeps families together;
 - Promotes reunification of families;
 - Assists with preventing youth from entering the foster care system;
 - Reduces foster care utilization; and
 - Reduces recidivism.
- The program holds offenders accountable;
- The IGA provides funding for the following:
 - One parole and probation deputy;
 - A certified alcohol and drug counselor through Bridgeway Recovery Services; and
 - A certified recovery mentor that provides for the following:
 - Substance abuse programming; and
 - Pro-social mentoring assistance.
- The IGA term date is retroactive to July 1, 2021, through June 30, 2023.

Board discussion:

- The program was started in 2016;
- The average case load is around 30 at any given time;
- Recidivism rates have decreased;

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- The following four metrics are the primary focus for defining and tracking recidivism:
 - Any new arrest;
 - Any new felony conviction;
 - Any new misdemeanor felony; and
 - Any new incarceration.
- A joint report produced by DOC and Oregon Department of Human Services (ODHS) was released in 2020 that outlined some of the following:
 - Reduction rates for the five counties participating in the program;
 - Preliminary data;
 - Statewide cases; and
 - Length of time in foster care for children of individuals participating in the program:
 - The children of individuals in the program average an estimated 674 days in foster care; and
 - The children of individuals that are incarcerated can average 1,000 days or more in foster care.
- The MCSO maintains data tracking recidivism rates within the county;
- Funding for the program has been consistent every year since the program's inception;
- There is an assessment process to determine eligibility for individuals participating in the program:
 - Participants need to show they are motivated and willing to comply with meeting the program's goals; or
 - Individuals that are not complying with program requirements may have to serve the original prison sentence that was imposed.

MOTION: Commissioner Willis moved to approve the incoming funds Intergovernmental Agreement with the Oregon Department of Corrections in the amount of \$515,104 for the 2021 through 2023 Family Sentencing Alternative Pilot Program retroactive from July 1, 2021, through June 30, 2023. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:25:26)

Commissioner Willis read the calendar.

(Video Time 00:29:27)

PUBLIC HEARINGS

9:30 A.M.

PUBLIC WORKS

A. Public hearing to consider Zone Change/Comprehensive Plan Amendment (ZC/CP)
Case #21-007/Deep Lake Investments, LLC. –Alyssa Schrems

Summary of presentation:

Alyssa Schrems:

- The applicant is requesting the following:
 - To change the comprehensive plan designation from Rural Residential to Commercial; and
 - Change the zoning designation from Acreage Residential (AR) to Community Commercial (CC).
- The 0.16-acre parcel is located on Brooklake Road N.E. in Brooks, Oregon; and
- The parcel is within the Brooks-Hopmere community planning area of Marion County.

Testimony:

Support:

Raymond Reid:

- Mr. Reid is an attorney representing the applicant;
- The application was thoroughly reviewed and considered by the Marion County hearings officer;
- The hearings officer's findings and report indicates that the application satisfies all relevant standards and criteria; and
- Mr. Reid recommended approval of the application.

Board discussion:

- There are three options for Community Commercial (CC) permitted uses:
 - Option A is for all communities:
 - These are permitted uses allowed in any of the county's CC zones regardless of location.
 - Option B is also for all communities; and
 - Option C is for Brooks-Hopmere specifically and entails some of the following:
 - Used motor vehicle sales; and
 - Conditional uses that are still allowed but are subject to an additional land use process.
- Brooks-Hopmere is considered an urban, unincorporated community:
 - Some available services are provided for the community.
- The lot size is not big and may impact a maximum 8,000 square foot limit that is allowed by code for a structure:
 - There is a potential to build a two-story structure with each story having a maximum of 4,000 square feet of floor space;

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- Height restrictions allowed for a structure are 35 feet;
- A structure containing a daylight basement in addition to two stories may be approximately 35 feet; and
- The structure is subject to setbacks.
- Mr. Reid expressed that an existing structure is already located on the property:
 - The structure is being modified for office space;
 - The office space will be compatible with the business that is going to be conducted on the property; and
 - No additional square footage will be added to the structure.

MOTION: Commissioner Willis moved to close the public hearing and approve the request to change the comprehensive plan designation from Rural Residential to Community Commercial; and change the zone from Acreage Residential to Community Commercial on a parcel that is 0.16 acres, located at 4965 Brooklake Road NE in the City of Salem. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:36:13)

B. Public hearing to consider Zone Change/Comprehensive Plan Amendment (ZC/CP)
Case #21-008/Snow and Kerley Properties, LLC. –Brandon Reich

Summary of presentation:

Brandon Reich:

- The applicant is requesting the following:
 - To change the comprehensive plan designation from Developing Residential to Multi-Family Residential (RM); and
 - Change the zone from Urban Development (UD) to a Limited Multi-Family Residential (RL).
- The county has two classification options for a multi-family designation:
 - A multi-family designation; and
 - A limited multi-family designation.
- The 0.18-acre parcel is located at the 300 block of Gwendolyn Loop NE in Salem, Oregon;
- Properties located to the south and the west are zoned (RL):
 - Most of the properties have been developed with duplexes.
- Property located to the east and the north is zoned Single Family Residential (RS):
 - Most of the properties have been developed with single-family dwellings.
- Staff has received comments from various governmental agencies;
- The hearings officer conducted a public hearing on October 7, 2021;
- On October 25, 2021, the hearings officer recommended the Board of Commissioners approve the application request subject to conditions;
- The hearings officer found that the applicant satisfied all the relevant approval criteria for the following:

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- The comprehensive plan; and
- The zone change.

Board discussion:

- The difference between an RM zone and an RL zone entails some of the following:
 - An RM zone has apartment structures on the property; and
 - An RL zone does not allow for apartments, but can have some of the following structure options:
 - A duplex:
 - Currently a duplex structure in a single-family zone must be located on a corner lot.
 - A triplex;
 - A fourplex; or
 - A zero-lot land dwelling which is similar to a townhome.
- An RL zone has a higher density standard;
- The density for a Single Family Residential (RS) is essentially one home for every 4,000 square feet;
- The density for RL zone allows for one structure for every 3,000 square feet:
 - Generally developing a lot at this density would require a structure to have two stories.
- An RM zone can entail parking and landscaping requirements; and
- The property is located far from the City of Salem limits:
 - Currently there is no possibility of being annexed into city limits.

Testimony:

Support:

Britany Randall:

- Ms. Randall is the land use planner for the applicant;
- The property is approximately 7,000 square feet in size:
 - This is the required minimum for a duplex lot.
- The applicant would like to continue and complete a duplex development on the westerly portion of Gwendolyn Loop NE;
- Properties to the south may have a conflict between the zoning and the comprehensive plan designations:
 - Ms. Randall feels the conflict will not affect the applicant's request.
- The applicant's lot is currently vacant:
 - The applicant is requesting to install a duplex structure on the lot; and
 - The structure's appearance would be similar to other structures that are located directly south of the applicant's property.

Larinda Peterson:

- Ms. Peterson is the applicant's project manager overseeing the site's development;
- Ms. Peterson expressed she is speaking on behalf of the proprietor of Snow and Kerley Properties, LLC, the property's landowner:
 - The company has a history of purchasing and improving properties located within Marion County and the City of Salem;
 - The landowner is well known for some of the following:
 - Holding onto properties long-term; and
 - Providing continued property maintenance and improvements to preserve quality and upkeep.
 - The established property management company is fully equipped with staff and has funding available to perform necessary repairs;
 - The company's properties provide competitive rental rates;
 - The site's building design is consistent in style with other existing structures located within the neighborhood; and
 - The property owner is prepared to complete the project in a timely manner.

Brandon Reich:

- The county is coordinating with the City of Salem regarding the updating of the comprehensive plan and the zoning:
 - The city's comprehensive plan may not be up to date:
 - The county's failure to submit some ordinances to the city may have impacted the city's comprehensive plan updating; or
 - The city may not have utilized the county's ordinances when they were submitted.
- Mr. Reich expressed the following:
 - The properties in the area are developed;
 - They have land uses;
 - Zoning has been applied;
 - There is no critical issue with the comprehensive plan; and
 - It is important for the county to coordinate with the city when property owners with bare land want to develop the property and potentially annex the property into the city limits.

Board discussion:

- The city is only in charge of the comprehensive plan when the property is located within the city limits:
 - The county implements the comprehensive plan when the property is located outside the city limits; and
 - There is no issue with the comprehensive plan for the applicant's property.

MOTION: Commissioner Bethell moved to close the public hearing and approve the request to change the comprehensive plan designation from Developing Residential to Multi-Family Residential; and change the zone from Urban Development to Limited Multi-Family Residential on 0.18-acres located at the 300 block of Gwendolyn Loop NE in the City of Salem; T7S; R2W; Section 30DB; tax lot 2300. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:49:08)

Commissioner Cameron adjourned the meeting at 9:54 a.m.

CHAIR

COMMISSIONER

COMMISSIONER

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