

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, March 16, 2022
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

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

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

PUBLIC COMMENT

(Video Time 00:01:14)

Kathy Ottele:

- Ms. Ottele is a cancer survivor and a volunteer for the American Cancer Society Cancer Action Network;
- Tobacco related illnesses continue to be the number one cause of preventable death in Oregon;
- According to the Oregon Health Authority 591 Marion County residents will die this year because of tobacco;
- The new statewide tobacco retail license program will identify who is selling tobacco in the state;
- The county has the opportunity to use the retail license program to implement stronger local controls with limits on advertising, coupons, and discounts;
- Additionally, the county could ban flavored tobacco products that are almost exclusively used by children;
- Ms. Ottele is currently the Oregon State Lead Ambassador for the Cancer Action Network; and
- Ms. Ottele expressed that any improvements in the existing regulations may save lives.

(Video Time 00:03:55)

PRESENTATION

1. 2021 Student Recycled Art Calendar Awards. – Dakota Tangredi and Sara Duncan, Mid-Valley Garbage and Recycling Association

Summary of presentation:

- This presentation celebrates the students who contributed to the 2021 recycled art calendar;
- The theme for the 2021 calendar is “Greenwashing”;
- Greenwashing is when companies put unfounded environmental claims on their products; and
- The calendar project has a long legacy.

Board discussion:

None.

The students were presented individual awards and had their pictures taken with the Commissioners as well as a group picture.

(Video Time 00:17:02)

CONSENT

FINANCE DEPARTMENT

2. Approve an order to sell a proposed list, referenced in Exhibit A, of Tax Foreclosed properties in Marion County at a public auction on April 25, 2022.

HUMAN RESOURCES

3. Approve a recommendation to establish and adopt classification #423, Deputy Public Works Director.

PUBLIC WORKS

4. Schedule final consideration to adopt an administrative ordinance for March 23, 2022, granting Comprehensive Plan/Zone Change (CP/ZC) Case #21-007/Deep Lake Investments, LLC.

TAX OFFICE

5. Approve an order for a property tax refund in the amount of \$118,553.41 for Commonwealth Property Management, tax account number 532685.

6. Approve an order for a property tax refund in the amount of \$56,444.10 for Commonwealth Property Management, tax account number 571977.

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

(Video Time 00:19:06)

ACTION

BOARD OF COMMISSIONERS

Board Committee Appointments – Parks Commission

7. Consider approval of an order appointing Herschel Sangster as a citizen-at-large member to the Marion County Parks Commission with a term ending March 16, 2026. –Tom Kissinger

Summary of presentation:

- The Parks Commission was formed on September 16, 1958;
- Commission membership consists of eleven citizen-at-large positions that each have four-year terms;
- With the addition of Mr. Sangster, the commission will have nine members;
- Marion County Parks Commission is a public body which under its bylaws makes recommendations to the Board of Commissioners;
- The Parks Commission's bylaws and county policy require that the Board of Commissioners make the final appointments to the commission; and
- Mr. Sangster has experience with state parks and planning.

Herschel Sangster:

- Mr. Sangster is excited to be appointed to the commission;
- There is work to be done in rebuilding the canyon;
- The canyon needs to be rebuilt in a way that allows diverse groups to utilize the area's parks:
 - Seniors;
 - Disabled individuals;
 - Fishermen;
 - Hikers;
 - Bikers;
 - RVs; and
 - Other users.
- Mr. Sangster's long-range goal is to bring Cycle Oregon back to the canyon.

Board discussion:

- Mr. Sangster was the 2019 Keizer First Citizen recipient;
- Citizens are encouraged to participate in the Monster Cookie Ride event that Mr. Sangster facilitates; and

- Mr. Sangster is a visionary and a valuable addition to the committee.

MOTION: Commissioner Willis moved to approve an order appointing Herschel Sangster as a citizen-at-large member to the Marion County Parks Commission with a term ending March 16, 2026. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:25:31)

HEALTH AND HUMAN SERVICES

8. Consider approval of the incoming funds Intergovernmental Agreement (IGA) with the Oregon Health Authority in the amount of \$804,624 for the county to provide Exceptional Needs Care Coordination (ENCC) for individuals participating in Choice Model Services retroactive to January 1, 2022, through December 31, 2022. –Ryan Matthews

Summary of presentation:

- The contract total is the same amount that was in the prior contract;
- The contract funds the Choice Model Services which promote community-based services and supports that provide services to individuals at the lowest level possible;
- The services are for individuals that are at risk of, or have been in the Oregon State Hospital, in psychiatric hospitalization, inpatient services, or in residential treatment homes;
- The goal is to get individuals into lower levels of care;
- The funds are flexible and intended to fill in gaps in services that are not covered by Medicaid or other funding sources;
- The funds can be utilized for items that might present a barrier to an individual receiving services including:
 - Room and board payments;
 - Guardianship services;
 - Utility payments;
 - Rental assistance; and
 - Other items.
- The Exceptional Needs Care Coordination is work done by the county in conjunction with inpatient psychiatric hospitals and the Oregon State Hospital:
 - Coordination of discharge planning and placement of individuals who are ready to transition out of the higher levels of care.
- Health and Human Services (HHS) works with the individual, their treatment team, and friends and family to develop a wrap support plan to ensure the individual has the supports required to be successful in the transition to a lower level of care;
- HHS staff work at residential homes to provide skills training, life skills, and other supports including:
 - Cooking;
 - Money management;
 - Shopping; and

- Other skills.
- The contract funds provide service to over 200 individuals per month and supports eight to nine staff members.

Board discussion:

- The contract targets a specific population and specific types of services.

MOTION: Commissioner Cameron moved to approve the incoming funds Intergovernmental Agreement with the Oregon Health Authority in the amount of \$804,624 for the county to provide Exceptional Needs Care Coordination (ENCC) for individuals participating in Choice Model Services retroactive to January 1, 2022, through December 31, 2022. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:29:14)

PUBLIC WORKS

9. Consider approval of the Intergovernmental Agreement with the Oregon Parks and Recreation Department (OPRD) for Marion County Parks to operate and maintain the North Santiam State Recreation Area through December 23, 2023. –Tom Kissinger

Summary of presentation:

- The North Santiam State Recreation Area is located between Mehama and Mill City;
- The contract will help facilitate the temporary housing for wildfire survivors;
- An eventual land transfer of the recreation area from the state to the county may be an option in the future;
- The purpose of the IGA is to transfer park property maintenance services to Marion County Parks staff and facilitate a potential transfer in the future;
- The contract is retroactive to January 1, 2022, through December 2023;
- No funds or property are being transferred in the agreement;
- The agreement does allow for the development of cabins on the site if approved by OPRD; and
- Marion County Parks is coordinating with the on-site host and getting equipment in place.

Board discussion:

- The recreation area will have a year-round host that will help take care of daily maintenance tasks;
- Camping at the site is seasonal:
 - There are ten tent camping sites.
- On September 11, 2021, approximately 200 volunteers helped clean up the site and work on the trails; and
- Signs will be replaced to reflect the change if the IGA is executed.

MOTION: Commissioner Willis moved to approve the Intergovernmental Agreement with the Oregon Parks and Recreation Department for Marion County Parks to operate and maintain the North Santiam State Recreation Area through December 23, 2023. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:33:11)

10. Consider approval of Amendment #1 to the incoming funds Intergovernmental Agreement with Western Federal Lands Highway Division to add \$390,000 for a new contract total of \$6,307,947 and extend the date through December 31, 2023, for the North Fork Road Slide Stabilization project. –Brian Nicholas

Summary of presentation:

- The contract is related to a large landslide that occurred on North Fork Road in 2009;
- In 2011 the county completed a federal highway funded emergency response project that included:
 - Repair of a segment of road that was damaged in the slide; and
 - Stabilizing a portion of the slide area.
- In 2013 federal highway funds were received to study the entire remaining slide area:
 - The study divided the area into three separate slide masses;
 - Three drilled wells were installed in the hillside to determine where the failure plain was located and to monitor groundwater;
 - The study looked at how much the slide area was moving; and
 - The study determined that there was an estimated \$6.5 million of work required to stabilize the entire hillside.
- Approximately five years ago the county submitted a Federal Lands Access Program (FLAP) grant application using the \$6.5 million estimate;
- Public Works started the current project that was funded under the original FLAP agreement knowing that additional geotechnical site work needed to be done to fully characterize the site:
 - The original appraisal was a preliminary assessment; and
 - It was concluded that the stabilization work required would cost an estimated \$25 million.
- The county's contractor working on the project prioritized the three slide areas:
 - Slide #2 was identified as the greatest hazard and could potentially remove the road.
- The following strategy was developed:
 - Use the existing FLAP funding to prioritize the work on Slide #2:
 - The estimated cost is more than the original \$6.5 million FLAP grant funds; and
 - The total cost for Slide #2 is estimated at \$10 million.
 - Use future FLAP funding to work on Slides #3 and #4.
- The upcoming work on Slide #2 will include the following:

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2022\3-16-2022

- Construction of a stone embankment;
- Installation of horizontal drains; and
- No unknown issues are anticipated.
- The original grant funding is approximately \$6.5 million;
- The county will receive enough FLAP funding with this amendment to complete the design phase of the project; and
- When the next round of FLAP funding is opened the county will apply for funds to complete the construction phase of the project.

Board discussion:

- The design phase should be completed within ten months;
- A local business owns the property on both sides of the road:
 - Some of the road has moved enough that it is no longer in the legal right-of-way;
 - A decision must be made to determine if the road will stay where it is or be moved back up the hill; and
 - The local business also owns a portion of the property where the stone embankment is going to be built.
- The plan is to bid the project in the winter of 2024, and start construction in 2025;
- Public Works will communicate with area residents advising that a section of North Fork Road will be closed during the summer of 2025:
 - Gates Hill Road will be utilized as a detour.
- There will be public outreach related to the project, including having information on the county's website; and
- There will probably be detour signage placed along Highway 22.

MOTION: Commissioner Cameron moved to approve Amendment #1 to the incoming funds Intergovernmental Agreement with Western Federal Lands Highway Division to add \$390,000 for a new contract total of \$6,307,947 and extend the date through December 31, 2023, for the North Fork Road Slide Stabilization project. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:46:01)

11. Consider approval of Amendment #3 to the incoming funds Intergovernmental Agreement with Western Federal Lands Highway Division to add \$1,516,226.13 for a new contract total of \$2,380,861.13 for the North Fork Road and Gates Hill Road Chip Sealing project through December 31, 2023. –Brian Nicholas

Summary of presentation:

- Chip seal was installed on North Fork Road and Gates Hill Road in the summer of 2020:
 - FLAP grant funding paid for the materials; and
 - The county paid for the labor and equipment.
- The subsequent wildfires heavily damaged the pavement on North Fork Road:

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2022\3-16-2022

- The heat from the wildfires degraded the pavement;
- The trucks and heavy equipment used for the wildfire cleanup further damaged the road; and
- There are areas where the asphalt is tracking on vehicles.
- For expediency Public Works will be using the existing chip seal contract;
- The project scope includes:
 - A two-inch structural overlay will be installed on North Fork Road and Gates Hill Road throughout the entire corridor:
 - The overlay will provide additional structural depth; and
 - Extend the life of the pavement.
 - The roads will be restriped.
- Public Works is currently working on bid documents:
 - The work will be bid in the fall of 2022.
- The work will be performed during the spring of 2023.

Board discussion:

- The equipment required to complete the slide stabilization project should not have a large impact on the condition of the pavement.

MOTION: Commissioner Willis moved to approve Amendment #3 to the incoming funds Intergovernmental Agreement with Western Federal Lands Highway Division to add \$1,516,226.13 for a new contract total of \$2,380,861.13 for the North Fork Road and Gates Hill Road Chip Sealing project through December 31, 2023. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:52:53)

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

None.

Commissioner Willis read the calendar;
Commissioner Bethell adjourned the meeting at 9:57 a.m.

CHAIR

COMMISSIONER

COMMISSIONER

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