

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, March 2, 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, Jane Vetto as county counsel, and Brenda Koenig as recorder.

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

PUBLIC COMMENT

(Video Time 00:00:39)

Andrew Davis:

- Mr. Davis expressed the following:
 - He lives on Kenwood Avenue Northeast in unincorporated Marion County;
 - The condition of Kenwood Avenue Northeast is deplorable;
 - There are 34 homes on the road;
 - The 34 homeowners are paying substantial property taxes;
 - Kenwood Avenue Northeast is not a county designated road, so property taxes are not utilized to maintain the road;
 - Homeowners are concerned that the road will become inaccessible, and they will not be able to get to their properties;
 - The condition of the road may delay emergency services;
 - There are government agencies, delivery services, and contractors that need to have access to the properties;
 - He would like the board and the homeowners to work collaboratively to come up with a solution;
 - Many of the homeowners have expressed a willingness to contribute financially;
 - The county currently has access to federal and state infrastructure dollars;
 - There is a lot of neighborhood support for getting the road fixed; and
 - Mr. Davis presented the commissioners with a letter signed by several homeowners requesting assistance with road repairs.

(Video Time 00:05:07)

Guadalupe Cervacio:

- Mr. Cervacio lives on Kenwood Avenue Northeast; and
- He is asking the commissioners to help with getting the road fixed.

(Video Time 00:05:46), (Video Time 00:14:53), and (Video Time 00:29:53)

Kathy Bushman:

- Ms. Bushman expressed the following during three areas of public comment:
 - Ms. Bushman lives on Kenwood Avenue Northeast;
 - She has young children who cannot ride their bikes or skateboard on the road;
 - The poor condition of the road is a safety issue for school buses:
 - The condition of the road requires children to be picked up at the end of the street because school buses do not want to drive down the road.
 - The poor condition of the road puts excessive wear on the residents' vehicles;
 - She is concerned with access for emergency vehicles and response time due to the poor road conditions;
 - Some residents have spent their own money buying gravel and filling holes, but that is only a temporary fix;
 - A more permanent fixture would be beneficial;
 - There is a long strip of field at the end of the road that displaced individuals are frequenting:
 - Homeowners have called the county and patrol officers came and checked on the individuals; and
 - The homeowners were informed that the area would be patrolled more often due to break-ins in the area.
 - Ms. Bushman clarified that smaller buses may have come down Kenwood Avenue in the past to pick up children in front of their home:
 - Currently the children are picked up in one section at the beginning of the road.

(Video Time 00:08:53)

Darrell Sharp:

- Mr. Sharp has lived on Kenwood Avenue Northeast since 1978;
- He expressed that it is expensive for the homeowners to fix the road on their own; and
- He feels it is a safety issue for visitors and emergency services.

(Video Time 00:10:01)

Ilda Cervantes:

- Ms. Cervantes has lived on Kenwood Avenue Northeast since 2013;
- She feels the condition of the road is getting worse;
- She has had damage to her car due to the condition of the road;
- Ms. Cervantes warns visitors coming to her home of the poor road condition; and
- Patching the road with gravel provides a short improvement period.

(Video Time 00:11:26)

Trisha Fipps:

- Ms. Fipps has lived on Kenwood Avenue Northeast for six years;
- The family may have reconsidered purchasing the property if they had known in advance that the road would continue to decline;
- Some permanent fixture attempts have only make the road conditions worse over time; and
- She feels a permanent fix to the problem would be beneficial.

(Video Time 00:12:45)

Julianne Stone:

- Ms. Stone has lived on Kenwood Avenue Northeast for two years;
- She expressed that there is no safe way to get up and down the road;
- If a resident required emergency medical care, it would be hard for responders to get down the road; and
- She feels the road needs to be fixed.

(Video Time 00:13:40)

Sean Smith:

- Mr. Smith has lived on Kenwood Avenue Northeast for almost two years;
- He has had to do multiple repairs to his cars due to damage caused by driving on the rough road;
- Some of his family has declined to visit due to the road conditions;
- It would be hard for emergency vehicles to use the road; and
- Outside agencies utilizing the road are also impacted.

(Video Time 00:16:27)

Board discussion:

- The problem is a challenge for the county;

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2022\3-2-2022

- The county used to have a local improvement district program:
 - An estimated 70 percent of the neighbors would agree to pay for road improvements; and
 - The county would potentially adopt the road into the county road system in the future:
 - There were solutions to road condition problems; but
 - It took neighbors coming together to come up with a solution that everyone agreed upon.
- The Public Works director has presented ideas that the board will consider;
- There are a lot of roads in the county that have the same problem;
- The county has worked on several improvement projects in East Salem including the following:
 - Providing additional officers for patrols; and
 - Lighting improvements.
- Many citizens live in the area because it is outside the City of Salem limits, so they have reduced taxes;
- Commissioner Willis provided the following background explaining why some roads are designated non-county roads:
 - Property taxes are used to maintain roads, not to build roads;
 - Roads are built by taxing the developers:
 - Developers have the option to pay additional funds to make the developing road a county road:
 - If the developer chooses not to pay additional funds, then the road may be designated a non-county road:
 - This can result in more affordable housing for the homeowner purchasing a property located on the road.
 - Taxes can potentially make homes unaffordable:
 - The developer may pass any additional taxes onto the homebuyer resulting in an increased purchase price; and
 - The increase can be significant because roads are expensive.
 - An agreement may have been reached between the developer and the initial new home buyers where the initial homeowners agreed to maintain the road themselves, not the county, in exchange for a reduced home price:
 - In the beginning the housing was more affordable and the road was in great shape; but
 - A problem can arise years later when the original homeowners have moved out of the neighborhood:
 - The new homeowners who were not involved in the original decision to designate the road a non-county road, are now faced with an additional expense to repair a road that is no longer in good shape.

- There are multiple instances around the county where a decision was made at the time of new road development in a new housing area to have the road designated a non-county road in exchange for reduced home prices:
 - Some homeowners may still prefer this agreement.
- One of the challenges the county faces in paying for roads is that most state funding is required to be matched;
- The county gets the most for its road money by matching it with a state grant program;
- If the state does not have grant money specifically for non-county roads, then any funding the county utilizes for non-county roads can be a huge expense;
- A solution needs to be developed for maintaining non-county roads that are not eligible for state grants;
- The county can potentially receive significantly less grant funding from the state if the funds are not spent correctly;
- The commissioners may have a work session with the homeowners and Public Works staff to talk about possible solutions going forward;
- The solution developed must be what is best for all residents of Marion County;
- School buses generally do not go down dead-end roads because of difficulties with turning around;
- The county may be able to partner with the Oregon Department of Transportation's Safe Routes to School program to make the walk to the bus safer:
 - This may not be an option since it is a non-county road.
- Any solution that is developed will likely include a cost to the homeowners;
- Kenwood Avenue is not the only non-county road with issues;
- Non-county owned road repairs are estimated to cost \$70 million;
- One of the reasons individuals live in East Salem is that it is more affordable:
 - The housing is more affordable; and
 - The property taxes are less than they are for homes that are located within the City of Salem.
- When the area was initially developed it was a farming community:
 - The area has grown into an urban community.
- The board does not want to make any decisions that would make the area unaffordable; and
- The homeowners need to determine what amount of money they are comfortable paying for a solution:
 - The solution needs to not price individuals out of the community.

(Video Time 00:32:24)

PROCLAMATION

HEALTH AND HUMAN SERVICES – ACTION

1. Consider approval of a proclamation designating the month of March 2022 as National Problem Gambling Awareness Month in Marion County. –Michael Keuler

Summary of presentation:

- Approximately one percent of lottery funds are utilized for the prevention and treatment of problem gambling;
- Following are the goals of the Marion County Problem Gambling Prevention Program:
 - Prevent problem gambling;
 - Encourage responsible gambling; and
 - Reduce youth gambling.
- Problem gambling is a continuation of gambling activities despite negative personal, social, or financial consequences;
- The following criteria are signs of problem gambling:
 - Preoccupied with gambling;
 - Hiding or lying about gambling activities;
 - Chasing losses with more gambling;
 - Restlessness or irritability when not gambling;
 - Repeated unsuccessful attempts to stop;
 - Borrowing money to gamble;
 - Gambling to escape problems;
 - Increasing gambling bets; and
 - Jeopardizing relationships and job opportunities.
 - The American Psychiatric Association defines a gambling disorder as having four or more of the above criteria; and
 - An individual is at risk of a gambling disorder if one to three of the above criteria are met.
- A study done by the Oregon Council on Problem Gambling provided the following statistics:
 - An estimated 2.6 percent of Oregon adults have a gambling disorder:
 - The percentage represents an estimated 80,000 adults.
 - An estimated 5.4 percent of adults are at risk of potentially developing a gambling disorder.
- Concerns surrounding problem gambling include:
 - It can cause other health issues;
 - There are higher rates of a mental health episode;
 - There are higher rates of suicidal ideation;
 - It can negatively impact families;
 - It increases the likelihood that children in the family will develop a gambling disorder; and
 - Individuals with a gambling disorder have higher rates of the following:

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- Bankruptcy;
 - Loss of relationships;
 - Criminal activity;
 - Loss of productivity in the workforce; and
 - Other mental health and addiction problems.
- There is free and confidential help in Oregon for problem gambling;
- Phone numbers to call for help are available on the Oregon Problem Gambling Resource (OPGR) web page, OPGR.org:
 - The OPGR can help individuals with gaming problems;
 - The resource is also available to families and friends of individuals with a gambling problem; and
 - Resources are available in Spanish.
- The Marion County Problem Gambling Prevention Program has been investing time for the following:
 - Providing education to the county's youth:
 - Developed a problem gambling integration tool kit for middle school health classes; and
 - Participated in the iLEAD Youth Leadership Summit to work on identifying risk factors for developing problem gambling and other types of risky behaviors.
 - Presenting to different community groups, coalitions, and business leaders; and
 - Outreach through targeted ads, a billboard, and radio interviews with Capital Community Media.
- The prevention program's funding has been increased by \$50,000; and
- Following are the 2022 objectives for the Problem Gambling Prevention Program:
 - Build resiliency among the county's youth and increase adoption of the educational tool kit;
 - Assess the needs of the Spanish speaking community;
 - Provide technical assistance to older adults living in retirement communities; and
 - Provide technical assistance to interested businesses.

Board discussion:

- An impact study related to stress from the COVID-19 pandemic were reviewed:
 - The reviews were based off individuals one year prior to the pandemic and then one year into the pandemic:
 - It was determined that individuals with high stress levels from the pandemic had higher rates of the following:
 - Problem gambling;
 - Problem alcohol use; and
 - Problem cannabis use.
- The Problem Gambling Prevention Program has a presence at different community events which includes:
 - Tabling; and

- Banners.
- The program encourages responsible gambling:
 - The program does not tell individuals what to do; and
 - The goal is to help individuals who might be experiencing problems with gambling.

MOTION: Commissioner Willis moved to approve a proclamation designating the month of March 2022 as National Problem Gambling Awareness Month in Marion County. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous

The commissioners read the proclamation.

(Video Time 00:48:38)

CONSENT

BOARD OF COMMISSIONERS

Board Committee Appointments

Local Alcohol and Drug Planning Committee

2. Consider approval of an order reappointing Sandii Butler to the Marion County Local Alcohol and Drug Planning Committee (LADPC) with a term ending January 31, 2026.

OLCC Licenses – Recommended Approval

3. Approve an order recommending renewal of 95 Oregon Liquor Control Commission Licenses referenced in Exhibit A.

TREASURER’S OFFICE

4. Approve an order distributing Oregon State Forestry timber revenue in the amount of \$530,176.91 as per ORS Chapter 530.

Board discussion:

- Oregon statute requires timber revenue to be distributed amongst various taxing districts;
- Oregon counties give the forest lands to the state in trust;
- Any revenues from the state forests are given back to each county for the forest lands located in their county; and
- Marion County distributes their timber revenue funds amongst the county’s taxing districts which may include schools.

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

(Video Time 00:53:04)

ACTION

BUSINESS SERVICES

5. Consider approval of Amendment #1 to the Contract for Services with Stanley Convergent Security Solutions, Inc. to add \$224,720 for a new contract total of \$6,104,700 for the upgrade of access controls, interior doors, and exterior doors at the Marion County Jail through December 31, 2023. –Terry Stoner and Wesley Miller

Summary of presentation:

- The following two capital improvement projects were previously approved:
 - The security system at the jail; and
 - The exterior doors at the jail.
- It was determined that the two projects are closely aligned and that they should be combined;
- Staff is asking for approval to combine the two capital improvement projects into one project; and
- The two projects will be done at the same time.

Board discussion:

- The security project is for following Marion County locations:
 - The jail;
 - The transition center; and
 - The juvenile department.
- The projected project completion date is the end of 2023;
- The amended contract is for additional exterior doors;
- The project is a design build project that had an initial design:
 - Any design changes that may work better for the county can incur costs;
 - As the project develops, unforeseen costs can arise; and
 - It is important that the project totality lasts for multiple years into the future.

MOTION: Commissioner Willis moved to approve Amendment #1 to the Contract for Services with Stanley Convergent Security Solutions, Inc. to add \$224,720 for a new contract total of \$6,104,700 for the upgrade of access controls, interior doors, and exterior doors at the Marion County Jail through December 31, 2023. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:56:26)

PUBLIC WORKS

6. Consider approval of the Purchase Order with Owen Equipment Co. in the amount of \$320,250.35 for the purchase of one Elgin Broom Bear sweeper utilizing the cooperative Sourcewell Contract 093021-ELG. –Scott Wilson

Summary of presentation:

- Marion County Public Works utilizes a diversified fleet of heavy and medium equipment types to perform road maintenance tasks;
- The sweeper will be utilized throughout the year to perform the following tasks:
 - Remove debris from the roads during the fall leaf season;
 - Remove sanding material from the roads during the winter; and
 - Remove asphalt millings and chip seal aggregates from pavement maintenance activities during the spring and summer months.
- Funding has been pre-approved;
- The purchase is essential to replace equipment that has surpassed its useful life:
 - The department's 2002 street sweeper will be replaced.
- The board has the following options:
 - Approve the purchase order for the sweeper; or
 - Withhold approval.
- Public Works recommends that the board approves the purchase.

Board discussion:

- It will take approximately 12 months for the sweeper to arrive.

MOTION: Commissioner Cameron moved to approve the Purchase Order with Owen Equipment Co. in the amount of \$320,250.35 for the purchase of one Elgin Broom Bear sweeper utilizing the cooperative Sourcewell Contract 093021-ELG. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:59:47)

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

None.

Commissioner Bethell read the calendar;
Commissioner Bethell adjourned the meeting at 10:03 a.m.

CHAIR

COMMISSIONER

COMMISSIONER

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