

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, July 15, 2020  
9:00 a.m.

Senator Hearing Room  
555 Court Street NE  
Salem, OR 97301

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

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

**PUBLIC COMMENT**

None.

**PRESENTATION**

*(Video Time 00:00:39)*

COVID-19 (Novel Coronavirus) update. –Ryan Matthews

- Mr. Matthews reported the following updates for the COVID-19 pandemic as of 8:00 a.m. on Wednesday, July 15, 2020:
  - There are currently an estimated 1,984 cases within the county:
    - The count combines both positive and presumptive cases:
      - A presumptive case is defined as an individual with COVID-19 like symptoms that can be linked directly to a confirmed positive test; and
      - The presumptive case count will fluctuate as more individuals are tested and confirmed as being either positive or negative.
  - An estimated 1,901 individuals have tested positive;
  - An estimated 21,693 individuals have tested negative.
- The percent positive testing rate was 8.3 percent for the one week time period of July 6, 2020, through July 12, 2020:
  - Marion County Health and Human Services (MCHHS) experienced a 68 percent increase in testing capacity for the one week time period:
    - An estimated 2,800 tests were conducted over the course of the week.
  - One week prior to July 6th, the percent positive testing rate was 9.9 percent.
- The MCHHS Epidemiological Team has identified multiple cases linked to Fourth of July celebrations;

- MCHHS continues to encourage community members to practice the following when in public settings:
  - Maintaining social distancing;
  - Wearing protective face coverings;
  - Washing hands; and
  - Having hand sanitizer readily available.
- MCHHS currently has 98 individuals working on the COVID-19 Response Team:
  - An estimated 41 members of the team are part of the Surveillance Group:
    - The group is responsible for case investigation and contact tracing;
    - They follow-up and respond to cases within a 24 hour time period; and
    - Mr. Matthews acknowledged all the dedication and hard work performed by the team.
- The Oregon Health Authority (OHA) is currently tracking follow-up response times by county for identified cases:
  - The statewide goal is to achieve a 95 percent response rate; and
  - The county had a 99.1 percent response rate for the week of July 6, 2020 through July 12, 2020.
- MCHHS is working with schools to support and assist with reopening plans.

***Board discussion:***

- MCHHS is monitoring hospital capacity;
- The county has not hit the maximum threshold for hospital capacity at any of the following locations:
  - Salem Health;
  - Legacy Silverton Medical Center; or
  - Santiam Hospital.
- The county has asked questions and gained information from OHA related to family gatherings and Fourth of July celebrations:
  - OHA is not accepting questions related to the mass protests and large gatherings that have been occurring, which may be impacting case counts within the county.
- Contact tracing data is dependent on the following from individuals:
  - A willingness to share information;
  - Consenting to answering questions; and
  - Memory recall.
- It is important for individuals to return calls from contact tracers, answer questions, and provide information in order to assist with the fight against COVID-19;
- The potential for points of contact with other individuals has increased as people return to work and frequent businesses;
- Priorities for the MCHHS team include the following in the fight against COVID-19:
  - Providing support;
  - Assisting with resources; and
  - Making sure individuals are healthy and safe.
- Challenges related to the pandemic require ongoing recruitment and training:

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2020\07-15-2020

- MCHHS needs enough depth and staffing capacity to meet the demands.

## CONSENT

(Video Time 00:10:03)

### BOARD OF COMMISSIONERS

Approve an order delegating authority to Jan Fritz, Chief Administrative Officer and Jeff White, Chief Financial Officer to approve amendments to the Intergovernmental Agreement with the State of Oregon, Department of Administrative Services, for CARES Act reimbursement.

Approve the incoming funds Intergovernmental Agreement with the Oregon Department of Administrative Services for an estimated contract total of \$9,800,000 for reimbursement of expenditures related to COVID-19 through the CARES Act from March 1, 2020 through December 30, 2020.

### HUMAN RESOURCES

Approve a recommendation to adjust upward pay grades for classification #582, Nutritionist; #584, Nutrition Specialist; and uphold the pay grade for #583, Nutrition Educator.

### INFORMATION TECHNOLOGY

Approve Amendment #3 to the Purchase Order Agreement with uWork.com, Inc., dba, Covendis Technologies to add \$32,400 for a new contract total of \$429,608 for temporary staffing services that were provided in the months of May and June, 2020.

### PUBLIC WORKS

Approve an order reappointing Gary Monders, Mike Long, and Stanley Birch to the Marion County Planning Commission with terms ending July 31, 2024.

Approve Amendment #2 to the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation for the Hayesville Drive: NE Portland Road – Fuhrer Street, Salem project to add \$1,202,933.84 for a new contract total of \$6,135,568.71 to supplement increased right-of-way and construction costs through August 24, 2026.

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

## ACTION

(Video Time 00:12:18)

### SHERIFF'S OFFICE

1. Consider approval of a proclamation designating the week of July 19-25, 2020, as National Parole and Probation Officers Week in Marion County. –Commander Kevin Karvandi and Troy Gregg

#### ***Summary of presentation:***

Commander Kevin Karvandi:

- National Parole and Probation Officers Week was created to honor the work that officers do within our communities;
- Nationally there are an estimated 4.4 million adults under some form of community supervision:
  - Oregon has an estimated 27,600 individuals under supervision; and
  - Marion County has approximately 3,100 individuals.
- The Marion County Sheriff's Office (MCSO) engages in a number of evidence based practices that includes some of the following:
  - Support Services;
  - Low risk supervision;
  - Supervision rates;
  - Collaborative work with community members; and
  - Public safety enhancement.
- The MCSO has implemented the following:
  - Effective Practices in Correctional Settings (EPICS);
  - Effective practices and community supervision;
  - Core correctional practices for supervision and interaction;
  - Justice reinvestment programs;
  - Prison diversion programs;
  - The Student Opportunity for Achieving Results (SOAR) program; and
  - Prison reentry programs.
- Parole officers have a critical role in the county's public safety system:
  - They assist with decreasing recidivism;
  - Aid with prison population reductions;
  - They hold offenders accountable; and
  - Their work contributes to public protection.
- MCSO Parole Officers are highly trained in best practices:
  - They endeavor to teach offenders to be better neighbors; and
  - They are committed to the following:
    - Making a difference in the community; and
    - Keeping the public safe.
- National Parole and Probation Officers Week recognizes and honors the important work of community corrections professionals.

Troy Gregg:

- The COVID-19 pandemic has impacted the way in which the Marion County Juvenile Department operates;
- The department receives an estimated 1,700 referrals every year:
  - They serve an estimated 1,100 youth and their families over the course of a year.
- The Juvenile Department currently employs 22 individuals that make up the probation staff:
  - They are dedicated and committed to making a difference in the lives of the youth;
  - Their work is hands-on;
  - They form positive relationships with the minor individuals;
  - They hold the juveniles accountable and responsible for the choices that they have made;
  - They contribute resources to help guide the youth to a successful future; and
  - Probation Officers' provide the juveniles with the opportunity to learn and make changes in their lives.
- COVID-19 has modified the way that probation officers reach out and connect with juveniles, which includes the following:
  - Zoom meetings;
  - Texting; and
  - Phone calls.

***Board discussion:***

- The commissioners expressed their appreciation to the parole and probation officers for their hard work and dedication:
  - COVID-19 has impacted the way that the officers' work is recognized:
    - A celebration barbeque and taco feed will be held honoring the officers; and
    - Social distancing practices will be implemented.
- Currently juvenile court services are provided for youth making initial appearances:
  - Trial dates have been pushed out;
  - Face to face court appearances have been limited;
  - Referrals have been limited;
  - There is an increase in cite and release practices versus detention; and
  - Youths in detention are undergoing a ten day review period.
- Increased phone texting has proven to be an effective communication tool with the youth;
- COVID-19 has impacted in-school attendance and continues to be a challenge for the fall semester;
- An officer's relationship and personal attention is unmeasurable and can have a positive impact on a youth;
- Juveniles are treated with respect and held accountable in a way that does not demean them; and
- Officers can inspire youth under supervision to make positive changes in their lives.

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2020\07-15-2020

**MOTION:** Commissioner Cameron moved to approve a proclamation designating the week of July 19-25, 2020, as National Parole and Probation Officers Week in Marion County. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

The commissioners read the proclamation.

(Video Time 00:30:08)

### BUSINESS SERVICES

2. Accept the final closeout report for various Marion County projects. –Kevin Burton and Larry Tilford

#### ***Summary of presentation:***

- The renovation or new construction of buildings keeps the county's assets and programs diligent, maintainable, and energy efficient for the future.

Juvenile Services Building:

#### ***Summary of presentation:***

- The original Marion County Juvenile Services Department was located in multiple buildings within the county:
  - A need for the following led to the planning and construction of a new Juvenile Services Building (JSB):
    - A consolidation of employees in one location; and
    - Additional court facilities:
      - A courtroom was added to the existing detention center in 2017.
- Planning to determine the departments needs started in 2016 and continued into 2017;
- The decision was made to construct a new building versus remodeling the existing

Administration Building:

- A new building would fit the department's needs; and
- The county would see a return on energy efficiency:
  - An estimated \$60,000 a year would be saved in energy costs.
- The construction contract was awarded to R.A. Gray;
- Construction for the project started in November, 2017;
- The budget for the project was \$9,289,524;
- The county's current budget for the project is estimated at \$7,324,088:
  - The final budget is still pending final approval.
- Change order requests were kept at a limit:
  - An estimated 38 change orders were requested;
  - Total costs for the change orders is estimated at \$192,373; or
  - An estimated 3.1 percent of the contract.
- Project construction entailed some of the following:
  - A steel column frame building allowed for work to continue through the winter months with no moisture content issues;

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2020\07-15-2020

- Windows were installed which allowed for natural light to come into the center of the building:
  - This will reduce the need for artificial lighting.
- Installation of a Heating, Ventilation, and Air Conditioning (HVAC) system that allows for heating and cooling:
  - The system was installed in zones that have an estimated four offices per zone; and
  - Any future repairs that may be needed will affect one zone versus the entire building.
- The breakfast bar countertop, wooden shelves, and cabinets for the breakroom were built by individuals in the Juvenile Department Alternative Programs group:
  - The wood for the project was harvested from two plum trees located on the site, milled at the Alternative Program Mill, and then built by individuals in the program.
- The JSB project was completed in 2019.

***Board discussion:***

- Commissioner Cameron expressed his appreciation to Mr. Burton and Mr. Tilford for the following:
  - Their hard work;
  - Their oversight;
  - Staying within the budget; and
  - Completing the project on time.
- Business Services is currently working on projects at the Marion County Jail which includes work on some of the following:
  - Roofs;
  - HVAC; and
  - Security upgrades.
- Public sector work can be more expensive than private sector work; and
- Necessary features, such as security, can increase the budget on a building.

Transition Center:

***Summary of presentation:***

- In 2017, the Transition Center received the following:
  - A complete HVAC upgrade;
  - Additional air exchanges; and
  - A new roof.
- In 2018 it was determined that the following improvements to the building were needed:
  - Painting;
  - Floor replacement;
  - Installation of exterior elastomeric ceilings;
  - Soffit replacement;
  - Lighting replacement;

- Window and glass replacement in the control tower; and
- Updated casework in the control tower:
  - The countertop was lowered; and
  - Workstations were created for each window.
- The county utilized multiple vendors instead of a single general contractor:
  - Project expenses were more easily controlled; and
  - Lower bids were received.
- The budget for the project was estimated at \$198,046; and
- The final total budget was estimated at \$140,000:
  - The project included five change orders totaling an estimated \$61,000.

Jail Court Annex:

***Summary of presentation:***

- The county encountered a piping issue with the Variable Refrigerant Flow (VRF) System:
  - The lifespan of the system was shorter than the original design indicators;
  - Leaks were occurring in the piping which resulted in the following:
    - Continuous loss of refrigerant; and
    - Lack of temperature control within the space.
- The entire VRF system was re-piped with copper piping;
- The budget for the project was estimated at \$177,348;
- The final total budget was estimated at \$96,941:
  - The project included one change order totaling an estimated \$5,095.
- The original engineer, Mr. David Bachmeier, President of CBD Engineers, provided services for the project at no cost to the county.

Courthouse Square:

***Summary of presentation:***

- Courthouse Square was constructed without a fire notification system that contained audible and visual alarms:
  - The prior alarm system relied on a telephone call and a paging system that was implemented in the event of a fire or emergency; and
  - The upgraded system improved building safety.
- Installation of an updated alarm system containing notification devices began in October, 2019;
- The budget for the project was estimated at \$200,000; and
- The final total budget was \$186,266:
  - The project included three change orders totaling an estimated \$22,811.

***Board discussion:***

- The commissioners' expressed their appreciation for the hard work and efforts in upgrading the facilities:



- The various projects took an estimated six years to be completed;
- The county's infrastructure has greatly improved; and
- Low interest rates assisted with financing.

**MOTION:** Commissioner Brentano moved to accept the final closeout report for various Marion County projects. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:49:18)

INFORMATION TECHNOLOGY

3. Consider approval of Amendment #1 to the Purchase Order Agreement with Tyler Technologies, Inc. to add \$194,997.75 for a new contract total of \$380,709.89 for licenses, maintenance, and support for the Marion County Assessor's Office through June 30, 2021.

–Scott Emry

**Summary of presentation:**

- Tyler Technologies, Inc. is the county's current vendor for assessment and taxation software;
- The software retains data related to the following:
  - Ownership;
  - Lot size;
  - Sales activities;
  - Inventory on all land improvements;
  - Special assessment information; and
  - Other related data.
- The system is used to calculate the following:
  - Taxes;
  - Urban renewals;
  - Joint values with other counties; and
  - Other functions at roll turn.
- Amendment #1 executes the second and final year of a two year Sole Source Procurement for software maintenance support;
- The current software system is at end of life;
- The Assessor's Office recently completed the first phase implementation for a new commercial off-the-shelf property assessment and taxation tool;
- On July 1, 2020, the replacement tax receiving module went online; and
- The first of five implementations will be fully completed by July, 2021.

**MOTION:** Commissioner Cameron moved to approve Amendment #1 to the Purchase Order Agreement with Tyler Technologies, Inc. to add \$194,997.75 for a new contract total of \$380,709.89 for licenses, maintenance, and support for the Marion County Assessor's Office through June 30, 2021. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:52:02)

4. Consider approval of the Contract for Services with Executive Information Systems, Inc. in the amount of \$1,397,125 for the Sheriff's Office records management and jail management software system through June 30, 2022. –Scott Emry and Commander Jeff Stutrud

**Summary of presentation:**

- The Marion County Sheriff's Office seeks to replace the current record and jail management system that captures information related to the following:
  - Arrests;
  - The completion of field reports;
  - A system for tracking inmates; and
  - Recording data associated with some of the following:
    - Jail time;
    - Arrests; and
    - Personal information.
- The current management system has been in effect for an estimated 25 years and is significantly past useful life:
  - The system is no longer vendor supported; and
  - Development for replacing the specifications and the selection of a new system has taken an estimated four years.
- The contract went through a competitive bidding process:
  - Executive Information Services, Inc. was selected;
  - The software licensing, implementation, and support has a term ending date of June 30, 2025; and
  - The contract total is \$1,397,125.
- The new software system provides the MCSO with the following opportunities:
  - Reviewing internal processes;
  - Becoming more efficient; and
  - Bringing a positive change to operations.
- The MCSO anticipates the following:
  - A decrease in paper usage;
  - Decreasing job demands for staff;
  - Improving software communications with the District Attorney's (DA) Office; and
  - Improvements to the following:
    - Data tracking;
    - Statistical tracking; and
    - Gathering report information:
      - Currently MCSO utilizes a variety of different reports located in different software systems to gain information; and
      - All of the reports and data will now be located in one software system.

**Board discussion:**

- The new software system will be implemented in phases;
- Overall time frame for implementation is two years:
  - The majority of the deployment will be done in the first twelve months; and
  - Retirement of the existing software will take two years:
    - The current system has no vendor support.
- The DA's Office software system project will go live in July, 2020:
  - The MCSO software system will need to be integrated after the DA's Office software system is completed; and
  - The two software systems have the capability for integration.
- Other Marion County Jail projects that the IT Department is working on include the following:
  - Complete facility rewiring;
  - Replacement of network equipment;
  - Replacement of video surveillance;
  - Upgrades to the radio system; and
  - Updates to the jail door controls.
- The new software will improve the following at the jail:
  - The report process;
  - Classification processes;
  - Inmate tracking through the facility; and
  - Entering data once will eliminate work duplication from the following:
    - MCSO patrol;
    - The booking process; and
    - The jail lodging process.
- A future integrated work flow will include the capability of linking jail video to a specific individual in detention; and
- Updating software in county departments improves employee productivity and efficiencies.

**MOTION:** Commissioner Brentano moved to approve the Contract for Services with Executive Information Systems, Inc. in the amount of \$1,397,125 for the Sheriff's Office records management and jail management software system through June 30, 2022. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

*(Video Time 01:01:22)*

**PUBLIC WORKS**

5. Consider approval of the Public Improvement Agreement with Emery and Sons Construction Group, LLC in the amount of \$336,895 for the Silverton Road Campus Stormwater Facility Upgrade project through September 30, 2021. –Lani Radtke

**Summary of presentation:**

- The Marion County Public Works (MCPW) Campus is located at the corner of Silverton Road and Cordon Road;
- Construction details for the project include the following:
  - Improving the stormwater treatment and detention capacity;
  - Installation of an oil-water separator in the truck washout area:
    - Improvements meet the Environmental Protection Agency (EPA) and the Department of Environmental Quality (DEQ) requirements.
  - Providing proper disposal of contaminated soils requiring removal;
  - Installation of a new storm pipe; and
  - Providing access for future maintenance.
- MCPW received four bids from businesses located within the county:
  - Emery and Sons Construction Group, LLC submitted the lowest bid estimated at \$336,895.
- Construction is scheduled to start in July, 2020;
- The estimated completion date is September 30, 2020; and
- MCPW recommends approval of the Public Improvement Agreement with Emery and Sons Construction Group, LLC.

**Board discussion:**

- The oil-water separator will replace the current separator system; and
- MCPW is working on an Intergovernmental Agreement with the Oregon Department of Transportation related to the Scotts Mills Bridge.

**MOTION:** Commissioner Cameron moved to approve the Public Improvement Agreement with Emery and Sons Construction Group, LLC in the amount of \$336,895 for the Silverton Road Campus Stormwater Facility Upgrade project through September 30, 2021. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

*(Video Time 01:06:12)*

6. Receive and consider the appeal of the Marion County Planning Commission's decision denying Subdivision/Adjustment (SUB/ADJ) Case #20-001/Progressive Design Builders, Inc. –Joe Fennimore

**Summary of presentation:**

- The parcel is zoned Multi-Family Residential and is located on Lancaster Drive in the City of Salem;
- The request is for the following:
  - Subdivide the 21,700 square foot parcel into seven lots; and
  - Reduce the standard minimum lot width:
    - The reduction will allow each dwelling to have its own property lot;

- The City of Salem Code allows for a minimum width of 20 feet for townhouse property lots; and
  - Current Marion County Code requires a minimum width of 40 feet.
- The planning commission held a public hearing on June 16, 2020:
  - The proposed adjustment to the lot width was discussed;
  - It was determined that two unattached structures located on separate lots only had a five foot separation:
    - The structures consist of a triplex and a fourplex;
    - Marion County Code requires a ten foot separation; and
    - The City of Salem Code requires a five foot setback from the property line.
- The planning commission considered an adjustment to the standard that would allow the buildings to be closer together:
  - After deliberation, the commission determined that the adjustment criteria was not met; and
  - After a vote of five to two, the request was denied.
- The applicant appealed the decision stating the following:
  - The proposed development is needed for housing;
  - The request should have been processed as a limited land use decision;
  - Only clear and objective standards should be applied to the proposed development; and
  - The adjustment criteria for reducing the setbacks were satisfied.
- The board has the following options:
  - Accept the appeal and remand the matter back to the planning commission or hearings officer;
  - Accept the appeal and schedule a public hearing with a suggested hearing date of July 29, 2020; or
  - Deny the appeal and uphold the planning commission's decision denying the request.
- Staff recommends the board accept the appeal and schedule a public hearing with the suggested hearing date of July 29, 2020.

***Board discussion:***

- The issue with the setback requirements is unclear:
  - It is possible that the setback requirements pertain to fire protection.
- The structures were built with the expectation of having a property line;
- The structures meet all fire code requirements; and
- Commissioner Willis suggests a public hearing be held for more clarification regarding any setback issues.

**MOTION:** Commissioner Brentano moved to accept the appeal and schedule a public hearing for July 29, 2020, for Subdivision/Adjustment (SUB/ADJ) Case #20-001/ Progressive Design Builders, Inc. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

**CONSENT**

(Video Time 01:10:40)

**BOARD OF COMMISSIONERS**

Reapprove the incoming funds Intergovernmental Agreement (IGA) with the Oregon Department of Administrative Services for an estimated contract total of \$9,800,000 for reimbursement of expenditures related to COVID-19 through the CARES Act from March 1, 2020 through December 30, 2020.

***Board discussion:***

Jan Fritz, Chief Administrative Officer:

- The county just received revised documentation for the CARES Act IGA with the State of Oregon:
  - The Oregon County Councils Association submitted the request for nine additional changes to the IGA; and
  - Ms. Fritz requested the replacement of the revised documents to be added for the record.

**MOTION:** Commissioner Brentano moved to accept the adjustments to the Intergovernmental Agreement (IGA) with the Oregon Department of Administrative Services for CARES Act reimbursement. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

**PUBLIC HEARINGS**

9:30 A.M.

None.

Commissioner Willis read the calendar.  
Commissioner Willis adjourned the meeting at 10:14 a.m.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
COMMISSIONER

\_\_\_\_\_  
COMMISSIONER

Board Sessions can be viewed on-line at

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

DRAFT