



OREGON

MARION COUNTY BOARD OF COMMISSIONERS

Management Update Minutes

Monday, August 26, 2019, 9:00 a.m.

Courthouse Square, 555 Court St. NE, Salem
5th Floor, Suite 5232, Silverton Conference Room

ATTENDANCE:

Commissioners Kevin Cameron, Sam Brentano, and Colm Willis, Jan Fritz, Laurie Steele, Jane Vetto, Tamra Goetsch, Brian Nicholas, Brandon Reich, Danielle Gonzalez, Cooper Whitman, Jason Schneider, Barb Young, Chad Ball, Jolene Kelley, and Kristy Witherell as recorder.

Jan Fritz called the meeting to order at 9:05 a.m.

INFORMATIONAL:

North Santiam Sewer Authority Formation Pathway and Project Update

- Danielle Gonzalez

Summary of presentation:

- In July 2019, the North Santiam Joint Sewer Task Group came together to vote on what direction they would like to take;
- Options to consider were either an ORS 450 or an ORS 190 organization for formation:
 - An ORS 450 would require the county to take steps; and
 - An ORS 190 is an intergovernmental agreement amongst the communities.
- The group wants to go with an ORS 190 organization, which takes the responsibility out of the county's hands;
- The group is requesting additional resources:
 - Additional staff resources;
 - Help with navigation of funding needs; and
 - Potentially acquiring property if necessary.
- The attorney for the sewer group drafted a document:
 - One error on the document under the funding piece:
 - Bond authority is revenue bonds only, not general obligation bonds.
- The intergovernmental agreement will be able to decide how to manage the project:
 - The attorney has drafted the intergovernmental agreement.
- The group is concerned with increasing the liability to the individual cities:
 - The attorney believes she can write a document to limit the additional legal liability.
- The group is concerned with not being eligible for all funding types:

- Cannot apply for some funding types because they are an ORS 190 organization; and
 - May ask for monetary help from the county as a pass-through.
- Because the intergovernmental agreements have to go through their city councils to approve, it will go through a public hearing process;
- The group wants to make sure the community is in agreement as well;
- The group has revenue bond authority, not general obligation bond authority;
- There are no public procurement rules under an ORS 190 organization; and
- A work session is scheduled for October 10, 2019, between the county and the cities involved.

Board discussion:

- Commissioners Cameron and Willis will be traveling to Washington D.C. in two weeks and would like to talk to the federal delegation regarding funding;
- Marion County is not a party in the intergovernmental agreement;
- Timeline:
 - Just receiving initial rough drafts;
 - Would like to have the project finished by next spring;
 - A Request for Quotes (RFQ) is out now for engineering and design:
 - Hoping to have a decision by the end of September to have a design firm.
- The initial cost is approximately \$60 million; and
- The United States Department of Agriculture (USDA) did not have any hesitation regarding the group wanting an ORS 190 organization.

Discuss Broadband Opportunities for up to 48 Rural Properties along Methany Road and Wheatland Road

- Danielle Gonzalez

Summary of presentation:

- DataVision is a cooperative organization out of Gervais;
- Would like to place broadband fiber optics this year on Methany and Wheatland Road;
- The county would like to get the cost down to a five-year payback schedule:
 - Would require that Marion County contribute \$51,000 to the project; and
 - If the county would like to bring the fiber optic to the Wheatland Ferry, the county would need to contribute \$71,000.
- Initial cost of \$148,000 was submitted, not including fiber optic out to the Wheatland Ferry:
 - Ms. Gonzalez asked that DataVision include prevailing wage to their project estimate; and
 - DataVision believes it will create annual revenue of \$22,000 a year by adding broadband to the area.
- If the county enters into a public private partnership with DataVision, it would be a five-year payback period with \$51,000 capital from the county;
- DataVision would like to get the project done before winter;

- The total amount that the county would need to contribute is \$116,000, which would include broadband reaching the ferry:
 - The money would come from lottery dollars.
- If the county does not help fund the project, DataVision would not be able to reach all customers;
- Farmers use iPads in the field to monitor growth, fertilization, hydration, and pesticide application:
 - The data is tracked on software that allows farmers to track the data from the fields and crops that they manage; and
 - The farmers are currently using wireless technology, but the bandwidth is not sufficient.
- Public Works doesn't believe it is necessary to have broadband at the ferry:
 - The ferry uses wireless internet; and
 - The distance between the last customer and the ferry is five miles.
- DataVision is proposing one gigabyte of service; and
- Ms. Gonzalez is looking for board direction.

Board discussion:

- The commissioners would like to move forward with the broadband project using \$116,000 in lottery dollars; and
- The commissioners agree to add the broadband to the ferry, but leave it dark until needed.

OTHER

Federal Emergency Management Agency (FEMA) Flood Insurance Update

- Brandon Reich

Summary of presentation:

- Mr. Reich ran into the state floodplain coordinator at a meeting last week, and she stated that as part of the FEMA update to amend the code to adopt the new maps near Turner, FEMA has to do a complete review of Marion County's code:
 - She has been working since April 2019, to review the City of Turner's ordinance;
 - The county has a great floodplain code that is kept up to date;
 - FEMA is looking for specific verbiage in the code that comes out of federal regulations;
 - Most of the changes in the draft code is verbiage;
 - There are a few draft substantive changes that Mr. Reich and legal counsel will look at in more detail;
 - The state floodplain coordinator is required to review and approve the county's code in order for FEMA to accept that the county is in compliance with federal law;
 - If the county does not adopt the changes to the floodplain maps around the City of Turner or the changes to the code by October 18, 2019, the county would be suspended from the Floodplain Program:
 - Sales of property that are in the floodplain would be suspended;
 - No one would be approved for a loan if their house was in the floodplain; and

- Flood insurance would not cover flood damage.
- The public hearing on the matter is scheduled for Wednesday, August 28, 2019:
 - Mr. Reich would like the hearing continued to consider and approve the amendments on October 2, 2019; and
 - Mr. Reich will research the draft proposal before the October 2nd public hearing.

Board discussion:

- The verbiage that FEMA is requiring counties to adopt will take the decision making out of the counties hands; and
- The commissioner would like the Association of Oregon Counties to be notified of this issue to make sure other counties are not being affected.

COMMUNICATIONS

Update

- Jolene Kelley

- Ms. Kelley gave a brief update of upcoming scheduled events and communications activities.

COMMISSIONERS' COMMITTEE ASSIGNMENTS AND UPDATE:

Sam Brentano:

- Attended the Coastal Caucus;
- Received a call from the Statesman Journal regarding NORPAC closing its doors in Stayton due to bankruptcy;
- Attended a meeting with the federal highway administrator:
 - Was informed that the federal government wants the county to proceed with the environmental impact statement for a third bridge in Salem;
 - It would take a concurrence with all the entities involved; and
 - This is a pathway for the county to move forward with a third bridge.

Kevin Cameron:

- Attended the Livingstone Adventist Academy ribbon cutting ceremony;
- Attended the PAAM meeting; and
- Attended PacificSource Community Solutions CCO 2.0 Presentation in Woodburn.

Colm Willis:

- Attended PacificSource Community Solutions CCO 2.0 Presentation in Salem:
 - Providers expressed concern regarding the contract and payment issues.
- Attended the Community Advisory Council Meeting, which is formally Willamette Valley Community Health; and
- Attended the Boy Scout Troop 50 85th Anniversary Celebration.

Meeting adjourned at 10:09 a.m.

COMPLETED BY: **Kristy Witherell**
Reviewed by: *Joanna Ritchie*