

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, March 12, 2025.
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 Scott Norris as county counsel and Brenda Koenig as recorder.

ABSENT: Jan Fritz, chief administrative officer

Commissioner Bethell called the meeting to order at 9:01 a.m.
Commissioner Willis arrived at 9:25 a.m.

(Video Time 00:06:44)

PUBLIC COMMENT

Dylan Bochsler:

- Mr. Bochsler is with North Santiam Paving Company;
- NSP received the county's denial of their protests on the Detroit Marinas project:
 - They never expected to win the protest and are not going to push it any further.
- NSP would like know how the county can justify spending \$1 million more on the same project with the exact same contractor;
- The county claims to be acting in the best interest of taxpayers, but actions say different;
- This is not the first time NSP has had issues with the county's procurement process;
- NSP is imploring the county to do a full overhaul review of their procurement processes; and
- At a time when infrastructure spending is being threatened across the state, this kind of waste and inefficiency is unacceptable and must be addressed.

(Video Time 00:08:38)

PROCLAMATIONS

HEALTH AND HUMAN SERVICES

1. Consider approval of a proclamation designating the month of March 2025 as Intellectual and Developmental Disabilities (IDD) Awareness Month in Marion County. –Karin Perkins, Allie Bank, and Paul Hines, Garten Services, Inc.

Summary of presentation:

Karin Perkins

- Overview of IDD services in Marion County, including:
 - Over 36,000 people receive IDD services in Oregon, with 10% in Marion County;
 - Significant growth in enrollment, especially the 0-14 age range; and
 - Most individuals receive services in their own or family home, with a quarter in licensed/certified settings.
- Oregon's has closed institutions and supports community-based living for individuals with IDD; and
- Employment First policy promotes community-integrated employment:
 - Previously individuals worked in sheltered facility-based settings; and
 - This allows individuals to obtain jobs in the general workforce.

Allie Bank:

- Ms. Bank shared her employment journey:
 - Starting from work in sheltered workshops to her current role with the county.
- Grateful for the opportunity to work in an integrated community job and be part of the county's team; and
- The county's hiring practices welcome and support individuals with disabilities.

Paul Hines:

- Garten Services' mission is to support individuals with IDD through employment, career, and retirement opportunities;
- Various services provided, including job development, on-the-job coaching, and community integrated employment;
- There are special programs like the youth transition program and Project SEARCH:
 - Provides work opportunities and skills training.
- It is important to advocate for accessible and inclusive services for individuals with IDD.

Board discussion:

- Appreciate the work being done to support individuals with IDD and provide employment opportunities;
- It is a long-standing goal to have individuals like Ms. Bank part of the county's employment community; and

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2025\3-12-2025

- It was an easy decision to support this process and allow individuals with IDD to be active and valued members of the community.

MOTION: Commissioner Cameron moved to approve a proclamation designating the month of March 2025 as Intellectual and Developmental Disabilities (IDD) Awareness Month in Marion County. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

The commissioners read the proclamation.

(Video Time 00:27:29)

HEALTH AND HUMAN SERVICES

2. Consider approval of a proclamation designating the month of March 2025 as National Problem Gambling Awareness Month in Marion County. –Heidi Johnson

Summary of presentation:

- The goals of the Marion County Problem Gambling Prevention Program:
 - Prevent problem gambling;
 - Increase awareness;
 - Reduce youth gambling;
 - Encourage responsible gambling; and
 - Reduce negative impacts.
- Problem gambling is the continuation of gambling activities despite negative personal, social, or financial consequences;
- Importance of increasing awareness:
 - Lower stigma and shame around seeking help;
 - Promote responsible gambling;
 - Decrease negative individual and social impacts:
 - Higher rates of bankruptcy;
 - Loss of relationships;
 - Criminal activity; and
 - Mental health and addiction problems.
- Various awareness activities and accomplishments:
 - Middle School Art Search:
 - Students create calendars in English and Spanish.
 - ILEAD Youth Summit:
 - A one-day event for high schools to learn various life skills.
 - High school video contest;
 - School presentations and tabling events;
 - Prevention team newsletter;
 - Social media outreach;
 - Older adult outreach and education:

- Events focused on social connection.
 - Youth Outreach and Education:
 - Various activities revolving around mental health.
- The objectives for 2025 are as follows:
 - To build resiliency among youth;
 - For ages 18 to 24 provide sports gambling awareness;
 - Conduct the Community Readiness Assessment;
 - Continue outreach events among older adults.
- Impacts of problem gambling on individuals and communities include higher rates of bankruptcy, criminal activity, and mental health/addiction issues.

Board discussion:

- None.

MOTION: Commissioner Willis moved to approve a proclamation designating the month of March 2025 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 00:42:06)

CONSENT

BOARD OF COMMISSIONERS

Board Appointment – Compensation Board

3. Approve orders appointing Lore Christopher, Jolene Kelley, and Melessa Villoria to the Marion County Compensation Board with terms ending December 31, 2025.

BUSINESS SERVICES

4. Approve the Utility Easement with Portland General Electric Company (PGE) for a nonexclusive, perpetual easement and right-of-way for real property located at 3940 Aumsville Highway SE, in Salem, Oregon, as described in Exhibit A.

HUMAN RESOURCES

5. Approve an order to adopt revised Marion County Administrative Policy #207, Volunteers and Volunteer Service, and newly established Procedures 207-A, Affiliated Volunteers and Volunteer Service, and 207-B, Episodic Volunteers and Volunteer Service as referenced in Exhibit A.

6. Approve the recommendation to update the classification and adjust the pay grade upward for classification codes #008, Contracts and Procurement Manager; #315 Grant/Contracts Compliance Analyst; #619, Juris Doctor Prosecution; #632, Deputy District Attorney 2; #634, Trial Team Supervisor; #931, Law Clerk; #016, Legal Secretary 1 and retitle to Legal Assistant 1; #017, Legal Secretary 2 and retitle to Legal Assistant 2; and update the classification and uphold the pay grade for classification codes #307, Contracts Specialist; #308, Contracts Specialist Senior; #319, Budget and Grants Manager; #631, Deputy District Attorney 1; and #633, Deputy District Attorney 3.

PUBLIC WORKS

7. Approve the incoming funds Memorandum of Understanding with Liquidity Services Operations, LLC, dba, GovDeals in the amount of \$900,000 to provide online auction services for liquidation of the county's surplus vehicles with an ending term date of three years from execution.

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

(Video Time 00:44:51)

ACTION

BOARD OF COMMISSIONERS

Board Appointment – Justice of the Peace Pro Tempore

8. Consider approval of orders reappointing Rachael Federico and Jarrod Howard as a Justice of the Peace Pro Tempore for the Marion County Justice of the Peace District with terms ending March 11, 2026. –Justin Kidd, Marion County Justice of the Peace

Summary of presentation:

Justin Kidd:

- Justice Kidd provided an update highlighting:
 - There is a 75% increase in cases over the last year; and
 - Need for additional volunteers to assist with the increased workload.
- Introduced Rachael Federico and Jarrod Howard:
 - They serve as pro tempore justices; and
 - They support the court's operations.

Jarrod Howard:

- Mr. Howard appreciates the opportunity to serve as a Justice of the Peace Pro Tempore;
- This role allows him to engage with different positions, listen, ask questions, and make decisions; and

- This volunteer position allows him to employ his professional experience in a way that benefits the community where he lives, and his family is growing up.

Rachael Federico

- She stated her role as a Justice of the Peace Pro Tempore as the "best volunteer position within our county services";
- Highlighted the positive impact of the Justice of the Peace Court, including:
 - Provide swift access to justice for community members;
 - Allows the circuit court to move cases faster by taking on a significant caseload; and
 - Offers the opportunity to perform weddings and ensure people have access to marriage.
- Glad to continue serving in this role and contributing to the work of the county.

Board discussion:

- Grateful for the volunteers and their service to the community; and
- The volunteers' involvement has been helpful in addressing the increased caseload at the Justice of the Peace Court.

MOTION: Commissioner Willis moved to approve orders reappointing Rachael Federico and Jarrod Howard as a Justice of the Peace Pro Tempore for the Marion County Justice of the Peace District with terms ending March 11, 2026. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:52:04)

Board Appointment – Local Alcohol and Drug Planning Committee

9. Consider approval of an order appointing Jill Pearson to the Marion County Local Alcohol and Drug Planning Committee (LADPC) with a term ending December 31, 2028. –Carol Heard

Summary of presentation:

- Dr. Jill Pearson's qualifications and experience:
 - A mother and pediatrician with experience in Oregon since 1999 and in the community since 2013;
 - Directed quality improvement initiatives:
 - Collaborate with multiple departments; and
 - Created the neonatal opioid withdrawal syndrome collaborative.
 - Witnessed an increase in newborns exposed to opioids during pregnancy and worked to update care protocols.
- The LADPC is an advisory group to Marion County:
 - Identify needs and priorities for alcohol and drug addiction and treatment services.

Board discussion:

- Glad that Dr. Peason wants to work in this community.

Motion: Commissioner Cameron move to approve an order appointing Jill Pearson to the Marion County Local Alcohol and Drug Planning Committee (LADPC) with a term ending December 31, 2028. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:54:34)

COMMUNITY SERVICES

10. Consider approval of the Public Improvement Agreement with Siegmund Excavation and Construction in the amount of \$5,774,158 for the Detroit Marinas Excavation and Resiliency Project through December 31, 2026. –Kelli Weese

Summary of presentation:

- The project is excavating underneath two marinas at Detroit Lake to allow operation at a lower lake level and extend the summer tourism season:
 - An annual summer lake season of May 1st to October 1st; and
 - Support the local economy.
- This project is important for economic development and resiliency after the 2020 fires in the area;
- The project is expected to bring an additional \$1.2 million annual direct and indirect economic activity to the Canyon area:
 - With a \$14.6 million net economic gain over the next 20 years.
- The project includes the extension of the existing Osprey Point peninsula from the Detroit Flats Day Use Area;
- Potential impacts include the following:
 - Extends the summer tourism season;
 - Creates a new recreation destination; and
 - Defines the safe boating channel.
- Construction expected to take place in the 2025-2026 drawdown period and be substantially completed by May 1, 2026;
- The contract scope summary is as follows:
 - Preconstruction and preparation;
 - Detroit Lake Marina Construction;
 - Kanes Marina Construction;
 - Sediment Placement Construction; and
 - Alternate Bid Construction.
- There is a 1% change order cap within the contract;
- The project is funded through federal, state and local sources:
 - Federal portion:
 - ARPA funds in \$3 million; and

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- Congressionally spending request of \$2 million.
- State portion:
 - Business Oregon Brownfields Redevelopment Fund of \$60,000.
- Local portion:
 - Economic Development fund of \$50,000.

Board discussion:

- Opal Creek funding can only be used in the Santiam Canyon;
- Commissioner Cameron stated for the record a potential conflict of interest;
- Commissioner Bethell stated for the record a potential conflict of interest because she stores her boat at the marina; and
- Working with the contracts team to ensure all notification requirements are being met.

MOTION: Commissioner Willis moved to approve the Public Improvement Agreement with Siegmund Excavation and Construction in the amount of \$5,774,158 for the Detroit Marinas Excavation and Resiliency Project through December 31, 2026. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 01:07:04)

HEALTH AND HUMAN SERVICES

11. Consider approval of the Interdepartmental Agreement with the Marion County Sheriff's Office in the amount of \$804,572 for the provision of mobile crisis services, materials, supplies, administrative costs, and a one-time fleet purchase for the Connect and Protect: Law Enforcement Behavioral Health Response Program through September 30, 2027.

Board discussion:

- Commissioner Bethell expressed the following for the record:
 - Further clarification related to the agreement was requested at a Management Update meeting on March 11, 2025; and
 - More internal discussion and review are needed before being brought forward to a board session meeting.

MOTION: Commissioner Willis moved to table the Interdepartmental Agreement with the Marion County Sheriff's Office in the amount of \$804,572 for the provision of mobile crisis services, materials, supplies, administrative costs, and a one-time fleet purchase for the Connect and Protect: Law Enforcement Behavioral Health Response Program through September 30, 2027, for further work on the agreement. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 01:08:01)

PUBLIC WORKS

12. Consider an appeal of the hearings officer's decision approving Subdivision, Case #24-001/ Enchanted Ridge Property Owners Association and Enchanted Ridge II, LLC.
–Austin Barnes

Summary of presentation:

- The property was previously subject to a zone change:
 - From an acreage residential zoning to allow for the proposed partition/subdivision.
- A hearing was held on January 16, 2025, and a decision was made on January 30, 2025, approving the subdivision request;
- The appeal being considered is related to the SGO (Sensitive Groundwater Overlay) hydrology review required for subdivisions in this area;
- The parcels are in an area that is mapped as having less groundwater than other parts of the county;
- As a condition of approval, the applicant hired a professional hydrogeologist to perform a review of the groundwater and existing wells in the area;
- During the hearing, the opponents raised concerns about the findings of the hydrology report:
 - The hearings officer could not consider this because the report met the code requirements.
- The code requires the report to be prepared by a licensed professional:
 - The applicant's report was.
- County planning staff recommends declining to accept the appeal:
 - Evidence was submitted but it was not from an expert; and
 - No new expert evidence to challenge the hydrology report was given.

Board discussion:

- Commissioner Bethell expressed the following:
 - Expressed concern about the ability of neighbors to afford their own expert hydrologist to challenge the hydrology report submitted by the applicant.
- Commissioner Willis expressed the following:
 - Whether the board trusts the county's peer review process to represent everybody in the community;
 - Acknowledged the ability of neighbors to afford their own expert, but expressed some skepticism about "dueling experts" in litigation;
 - Trusts the county's planning team and the impartial review done by the peer reviewer; and
 - Questioned the need to have dueling experts or if the county's review process is sufficient to represent the community's interests.

- Commissioner Bethell requested for the record that Mr. Barnes explain the county's process:
 - The report was reviewed and accepted by the county's appointed, neutral hydrologist;
 - Neighbors were provided with access to the hydrology report and were able to voice their concerns during the hearings officer's hearing:
 - Even if they did not have expert testimony to counter the report.
 - Limitations of the county code, which requires the acceptance of a hydrology report prepared by a licensed professional, as the basis for the hearings officer's decision.

MOTION: Commissioner Cameron moved to decline to accept the appeal and uphold the hearings officer's decision approving Subdivision, Case #24-001/Enchanted Ridge. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 01:20:28)

13. Consider approval of a multi-agency Letter of Agreement (LOA) with the United States Department of Agriculture – Willamette National Forest (WNF); the United States Department of the Interior – Bureau of Land Management (BLM), Northwest Oregon District, Cascades Field Office; and the Oregon Department of Forestry (ODF) for the development of the North Fork Comprehensive Recreation Management Plan. –Carl Lund

Summary of presentation:

- The goal of the LOA is to develop a corridor in the North Fork area where it feels like single ownership for residents and visitors:
 - This will allow access to recreation facilities in the North Fork corridor without navigating through multiple agencies.
- The LOA provides a formal framework for federal partners to guide their work as the county develops the North Fork Comprehensive Recreation Management Plan.

Board discussion:

- The project is supported by a \$300,000 grant.

MOTION: Commissioner Willis moved to approve a multi-agency Letter of Agreement (LOA) with the United States Department of Agriculture – Willamette National Forest (WNF); the United States Department of the Interior – Bureau of Land Management (BLM), Northwest Oregon District, Cascades Field Office; and the Oregon Department of Forestry (ODF) for the development of the North Fork Comprehensive Recreation Management Plan. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 02:22:55)

PUBLIC HEARINGS

9:30 A.M.

FINANCE

A. Public hearing to consider adopting the Fiscal Year 2024-2025 Second Supplemental Budget.
–Daniel Adatto

Summary of presentation:

- The second supplemental budget increased the county's total budget by \$21.6 million to approximately \$779 million:
 - The supplemental budget was reviewed in detail in a management update meeting.
- Highlighted some of the following key changes:
 - Increase of 3.94 Full Time Equivalents (FTEs):
 - A 4.14 increase in the Health and Human Services Department.
 - Increase of \$9.6 million in intergovernmental federal revenue from American Rescue Plan Act (ARPA) funds:
 - Part of the original allocation received in 2021.
 - Net increase of \$9.9 million in transfers from the general fund to support the Marion County radio system project and the Enterprise Resource Planning (ERP) replacement project;
 - New capital projects for \$234,000; and
 - Software solutions for \$43,000 in Finance and Human Resources.
- Provided details on capital projects, including some of the following:
 - Increase of \$920,000 to Public Works projects of Meridian Road bridge and Battle Creek roundabout;
 - Parking fee station for \$367,000 to install at six park sites; and
 - HVAC control panel replacement at the courthouse for \$200,000:
 - Partially funded by an Energy Trust of Oregon rebate.

Board discussion:

- None.

MOTION: Commissioner Cameron moved to close the public hearing and adopt the Fiscal Year 2024-25 Second Supplemental Budget. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 01:27:40)

ACTION

FINANCE

14. Consider approval of a resolution to adopt the Fiscal Year 2024-25 Second Supplemental Budget. **(TO BE ACTED ON FOLLOWING THE PUBLIC HEARING)** –Daniel Adatto

Commissioner Bethell adjourned the meeting at 10:28 a.m.

Board Sessions can be viewed on-line at

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