



OREGON

MARION COUNTY BOARD OF COMMISSIONERS

Management Update Summary Minutes

December 16, 2025. 9:30 AM

Courthouse Square, 555 Court St. NE, Salem
5th Floor, Suite 5232, Commissioners Board Room

ATTENDANCE:

Commissioners: Danielle Bethell, Kevin Cameron, and Colm Willis.

Board's Office: Alvin Klausen, Jon Heynen, Trevor Lane, Chris Eppley, Heather Inyama, Toni Whitler, and Matt Lawyer.

Legal Counsel: Steve Elzinga.

Sheriff's Office: Jeremy Landers.

Juvenile: Troy Gregg.

Business Services: Tamara Goettsch.

Community Economic Development: Steve Dickey, and Kelli Weese.

Public Works: Dennis Mansfield, Kevin Thompson, Brian May, and Brian Nicholas.

Health and Human Services: Ryan Matthews, and Alisa Zastoupil.

Citizen: Kathy Rogers.

Commissioner Danielle Bethell called the meeting to order at 9:30 a.m.

INFORMATIONAL:

1. 2026 Annual Oregon Liquor and Cannabis Commission (OLCC) Renewals

-Sheriff Nick Hunter and Ryan Matthews

Summar of Presentation:

- Process includes reviews by multiple county departments:
 - Sheriff's Office, Health Department, and Clerk's Office.
- Sheriff's Office recommended denial of renewals for El Rio Nilo and Remmy's Nightclub:
 - Problematic activities.
 - Licenses previously revoked in 2023.
 - Same physical location for both:
 - Had different licensee names:
 - Named El Rio Nilo first.
 - Renewed attempts to re-establish business under new entity noted.
- Sheriff's office indicated establishments continue to appear on renewal list:
 - Likely due to OLCC list-pull procedures, despite prior revocations.
- Board to provide recommendations rather than final OLCC decisions:
 - Denials may be appealed by applicant and brought through process again.

Board Direction:

- Recommend OLCC renewal approvals for all except El Rio Nilo and Remmy's Nightclub:
 - Denials for those two to be included on consent calendar.

- Spreadsheet updated before release.
- All documentation for public or board use to be complete, and accurate.

2. Short-Term Residential Placement for Clackamas Youth

-Troy Gregg

Summary of Presentation:

- Contract between county and Clackamas County to provide short-term Guaranteed Attendance Program (GAP) beds for Clackamas youth.
- Contract ensures full Behavior Rehabilitation Services (BRS) rates per bed/child:
 - No guaranteed beds.
 - Only on an “as available” basis.
- Bed capacity for the GAP program is 22:
 - Typical funding and staffing for 14.5 beds.
 - Post-COVID utilization has been inconsistent but recently reached 16.
- Kids transferred will attend South Salem schools during their placement:
 - All educational, counseling, and medical coordination spelled out in contract.
- Contract developed collaboratively:
 - Modeled partially on previous agreements with Boys & Girls Aid.
 - Language reviewed extensively by county legal and GAP program staff.
- Concern about differences in approach between counties:
 - Specific contract language to be reviewed offline and revised as needed:
 - Parental participation.
 - Clear liability assignment.
 - Ethical requirements.
 - County control over youth admissions.
 - Clarify and review ambiguous or high-risk contract language.
- Committing to administrative/Full Time Equivalent (FTE) expenses:
 - May not be sustainable.
 - Need clarity regarding program responsibilities and funding.
- Liability exposure concerns.

Board Direction:

- Conduct legal/leadership review of contract:
 - Liability, parental participation, ethical commitments, and sustainability focus.
- Discuss and resolve key contract language points.
- Return to with finalized, legally reviewed contract before any approval or signature.
- Schedule and document any follow-up internal discussions:
 - Ensure board is briefed on any substantial contract changes.

3. 360 E Central Avenue – Post Fire Property Encroachment

-Kevin Thompson

Summary of Presentation:

- Property owner rebuilt a house after 2020 fire:
 - Encroaching onto county-owned land because of incorrect property line assumptions.
- Error discovered by building inspectors during post-fire reconstruction:

- Most of the new home/fenced yard built on county park property based on an old gate:
 - Mistaken as the true boundary.
- Solution considered is a land swap:
 - Property line adjusted so house/yard remains on owner's land, with equal-value land swapped from county parcel.
 - At owner's expense:
 - About 8000 sq ft.
- The adjacent county property is undeveloped parkland, Minto Park:
 - Adjustment would leave home surrounded on multiple sides by public park.
 - Public access and privacy concerns.
- Both parcels lie within city limits:
 - Requires city planning approval.
 - County must consent/sign land use application and property adjustments.
- Potential buyer protections:
 - Require documentation and communication provided to new owners:
 - Application and survey details.
 - Ensures full awareness and transparency.
- Encumbrances on parkland from Land and Water Conservation Funds:
 - Determined encumbrance does not specifically include subject parcel:
 - Simplifies swap process.

Board Direction:

- Approved to move forward:
 - Provided legal conditions are met and city approval is obtained.
- Require property owner to bear all costs:
 - Surveying, filing, etc.
- Final documents to come to the Board for final approval/signature.
- Legal and compliance validation required before transaction is finalized.

4. Application Process Deviation Applicant Request

-Steve Dickey

Summary of Presentation:

- New Community Development Block Grant (CDBG)/HOME application procedures included a pre-application stage:
 - Question if applicants missed pre-application could still file a full application.
- During September-October several pre-applications were received:
 - In December, inquiry from someone who missed the pre-application cycle.
- Intent not to prevent post-cycle applications:
 - Applicants may submit full applications even without pre-application.
 - Provided they meet final deadlines.

Board Direction:

- Accept applications from organizations that missed the pre-application deadline:
 - Must meet the final submission requirements.
- Staff communicate this immediately to any affected applicants.
- Maintain documentation of this one-time flexibility for future procedural reference.

5. Special Procurement to Support LG, KN and AAON Heating and Cooling Systems Through JB Oregon

-Tamra Goettsch

Summary of Presentation:

- Secure authorized servicing for LG heating/cooling units across county facilities:
 - Including new juvenile and transition buildings.
- JB Oregon is the authorized LG vendor in Oregon.
- Maintaining warranty compliance requires using an authorized service provider:
 - Previous history with JB Oregon:
 - Responsive and competitive pricing.
- Contract basis:
 - Up to \$200,000 with an initial period of three years plus potential extension.
 - Units remain in county inventory.
 - Additional work or resources remain under contract cap.
- LG system challenges:
 - Expensive replacement, lack of ducting for other systems.
- Moving away from this equipment in future county purchases.

Board Direction:

- Approved to move forward on consent.
- Require confirmation of final contract language regarding term and contract cap.
- Direct staff to avoid further investment in new LG units.

6. Community Development Block Grant-Disaster Recovery Planning, Infrastructure and Economic Revitalization (CDBG-DR PIER) Grant Intergovernmental Agreement

-Matt Lawyer

Summary of Presentation:

- County awarded \$34,066,745 in CDBG-DR PIER funding:
 - Projects vetted and categorically approved by Oregon Housing and Community Services (OHCS).
- Projects primarily to be managed/delivered by county public works:
 - Except the Detroit Avenue Rehab and Mill City Water Pump:
 - Will be handled by those local jurisdictions through sub-agreements.
- Bear Creek/Cameron rehabilitation to be presented on January 7th:
 - Project sequencing after major excavation projects.
- High level of trust in Mill City's self-management.
- Concern over Detroit's staff, oversight, and administration capacity.
- County's responsibility limited to its own projects:
 - Or jointly administered.
 - Detroit/Mill City responsible for direct delivery of their capital improvements.
- Deadlines and compliance requirements:
 - Must execute by 2029.
 - Emphasis on contract language ensuring proper sequencing and stewardship.

Board Direction:

- Approved to move forward.

- Secure sub-agreements with Mill City and Detroit specifying project delivery, timelines, and funding processes.
- Confirm project sequencing (rehab after excavation, as appropriate) by explicit contract language.
- Require Public Works and project managers to present progress updates:
 - Prior to major work.

7. Legislative Update

-Alvin Klausen

Summary of Presentation:

- Army Corps Supplemental Environmental Impact Statement (SEIS):
 - Draft county comments relating to local drawdown/fish restoration project.
 - Broaden focus from Environmental Site Assessment (ESA)-listed species to all fish populations and environmental protection generally.
 - Concern with implication of “killing” some animals to benefit others:
 - Prefer language for whole-environment health and better scientific justification.
 - Previous science cited by fish biologists:
 - Suggest more fish may leave with uncertain long-term effects.
 - Lack of data on ocean mortality were discussed.
 - Legal comments (formal flaws/gaps in EIS) and public messaging (press release, social media) about county’s position and rationale.
 - Desire assertive stance from county:
 - Clear public education about board's rationale and objections.
 - Legal counsel to draft public-facing and legal letters for board review prior to January 13th deadline:
 - Executive session for legal analysis scheduled for early January.
- Staff tracking pre-session filings and major legislative concepts from local officials:
 - No significant fiscal impact or new initiatives expected in 2026 short session.
 - Due to focus on budget stabilization.
- Most bills with any cost component are likely to be deferred or dismissed:
 - Due to broader economic pressures and federal funding constraints.
- Commitment to communicate consistently with department heads and associations for timely awareness of new legislative proposals.
- Planning for legislative update memos to commissioners.

Board Direction:

- Continue close legislative tracking:
 - Communicate major concepts or fiscal bills to Board as soon as possible.
- Department heads to proactively communicate with their associations about potential impacts.
- Provide written legislative updates after important events/meetings.
- Designate staff to attend/monitor legislative briefings in commissioners’ absence and provide summary memos.
- Preparing for rapid policy/budget developments at the start of 2026.

8. Board Session Agenda Review

-Commissioner Danielle Bethell

Summary of Presentation:

- Criminal Justice Commission (CJC) presentation title change:

- To reflect that the board will sign it.
- Land use applicant asked for delay.

Board Direction:

- Legal counsel to prepare motion on land use application delay request:
 - Briefing for the board ahead of the session.

COMMISSIONERS' COMMITTEE ASSIGNMENTS and UPDATE

Commissioner Danielle Bethell

- N/A

Commissioner Kevin Cameron

- N/A

Commissioner Colm Willis

- N/A

Other

Recycling Modernization Act Funding & Advisory Council Update

-Brian May

Summary of Presentation:

- Advisory Council to create a plan for new Oregon Department of Environmental Quality (DEQ) contamination reduction funding.
- Funding access:
 - Marion County must choose one activity from each category annually.
 - Plan is flexible for future years.
- Council's focus is reducing contamination from single-family homes:
 - The largest source.
- Haulers tasked with proposing compliance strategies:
 - Brought forward a multi-step plan:
 - Category A:
 - Mailers, magnet distributions, and bin color changes.
 - Category B:
 - "Oops" cart tags issued when contamination identified.
 - Use truck cameras and follow-up notifications.
 - Estimated \$176,500.
 - Administration steps required for reimbursement.
 - Category C:
 - Penalties for repeat contamination offenders.
 - After three warnings in six months, service may be suspended.
 - No punitive fees.
- Reporting and reimbursement for activities is required by fiscal year-end:
 - Projects must be pre-approved to ensure costs are covered.
- Proposal includes administration expenses for council convening and reporting:
 - 10% administration cost allowance identified.
- Additional components under consideration:
 - Portable contamination education kiosk.
 - Public events/outreach.
 - Possible mobile demonstration vehicle.

- Haulers Association employee manages current administration and education activities:
 - Hiring an additional FTE is proposed but on hold.
- Board concern:
 - No sustainable funding should be committed for permanent FTEs.
 - Unless funding is consistent year over year.
- Need clear target audiences, measurable program outcomes, and rigorous documentation for accountability.
- Not all \$1 million available:
 - Likely to be spent by June 30.
 - Unused funds roll over for new or expanded efforts in Fiscal Year (FY) 2026.
- Opportunity to supplement compliance with OTR (Opportunity to Recycle) Act obligations using RMA funds:
 - Legal distinction between programs exists.
- County's contamination rate is 16% per DEQ.
- County will submit eligible administration costs to DEQ for reimbursement:
 - Including for coordinating all city submissions.
- Smaller cities need proactive outreach and inclusion in planning:
 - Avoid perceptions of exclusion in program decisions.
- Current direct participants:
 - Salem.
 - Keizer.
 - Aurora.
 - Jefferson.
 - Stayton
 - Detroit.
 - Silverton.
 - Woodburn.
 - Participation from additional cities is being pursued.
- Value in owning process and empowering all localities for eventual region-wide buy-in.

Board Direction:

- Approve continuation of current A+B+C category approach.
- Require all educational, administrative, and outreach expenses to be documented for DEQ reimbursement and Board review.
- Exclude unsustainable FTE commitments unless accompanied by verified funding.
- Increase communication and outreach efforts to engage all county cities.
- Regular updates from Haulers Association, Advisory Council, and staff.

Radio Project Site Civil Improvement Contract Review

-Brian Nicholas

Summary of Presentation:

- Colton Construction is the low bidder.
- Contract not finalized or brought to the board yet:
 - Contractor needs to complete performance bond submission and final paperwork.
- All required documentation is nearly complete.
- Contractor is motivated to begin due to compressed project schedule.
- Plan to bring contract for board review potentially at the January 7th board session.

- Staff absences and lack of management or board meetings until after the holidays.
- Administrative note:
 - Contract specialist is out and will be back the following Monday to finalize contract documents.
 - Distribution expected between Christmas and New Year's.

Board Direction:

- Contract and supporting documents to be distributed to board and policy analysts:
 - For priority review and feedback prior to the January 7th board session.
- Policy analysts responsible for tracking contract review and notifying board of priority items for consideration.

Food Vendor Enforcement – Status and Challenges

-Commissioner Danielle Bethell

Summary of Presentation:

- Expanded county nuisance ordinance addressing unlicensed and non-compliant food vendors operating on private or farm property.
- Current division:
 - Public Works Planning handles private land.
 - Sheriff's office addresses broader ordinance issues.
- Specific case highlighted:
 - Vendor selling oranges from an unlicensed truck on a farm.
 - Unresolved despite previous code and planning actions and notifications.
- Commissioner Bethell directly updated sheriff's office and code enforcement:
 - Requesting enforcement status and resolution.
- Additional issue:
 - Repeated violations by a food cart vendor on Lancaster Drive.
 - Recent coordinated efforts between health and planning staff.
 - Including weekend action for persistent compliance problems.
- Existing limitations:
 - Lack of authority for health staff to escalate beyond citations.
 - Slow response on repeat offenders.
 - Inability of traditional code enforcement to act swiftly or during off-hours.
- Plan for a January work session:
 - Sheriff, health, planning, and legal departments to participate.
 - Clarify roles, procedures, and authority under expanded ordinance.
- Additional resources and authority:
 - Potentially give environmental health power to work with sheriff's office.
- Most enforcements and inspections limited to weekdays and standard hours:
 - Many compliance issues arise during evenings and weekends.

Board Direction:

- Organize and conduct a January work session.
- Staff gather cost proposals for expanded evening/weekend enforcement capability for environmental health:
 - To inform the next budget cycle.

Adjourned – time: 10:46 a.m.

Minutes by: Mary Vityukova

Reviewed by: Gary L. White