

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, January 11, 2023  
9:00 a.m.

Senator Hearing Room  
555 Court Street NE  
Salem, OR 97301

PRESENT: Commissioner Colm Willis, Commissioner Kevin Cameron, and Commissioner Danielle Bethell. 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 9:01 a.m.

*(Video Time 00:00:42)*

**PUBLIC COMMENT**

None.

*(Video Time 00:00:46)*

**CONSENT**

None.

*(Video Time 00:00:49)*

**ACTION**

BOARD OF COMMISSIONERS

Board Committee Appointments – Justice Reinvestment Council

1. Consider orders approving the appointment of the following individuals as members of the Marion County Justice Reinvestment Council with terms ending December 31, 2024:

- Commissioner Colm Willis
- Sheriff Joe Kast
- District Attorney Paige Clarkson
- Christopher Eppley
- Anne-Marie Bandfield
- Undersheriff Jeff Wood
- Commander Jay Bergmann
- Sherry Bensema
- Kristy McIntosh
- Jessica Howard
- Shannon Wilson
- Alison Kelley
- Deputy Chief Skip Miller
- Tim Murphy
- Jimmy Jones

– Undersheriff Jeff Wood

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***Summary of presentation:***

- The Marion County Justice Reinvestment Council advises the Sheriff on criminal justice policy matters;
- The council started in 2009 and was initially focused on the Marion County Reentry Initiative;
- Over time the council has expanded to advising the Sheriff on everything throughout the criminal justice system that the Sheriff is a part of;
- The Marion County Sheriff's Office is unique within the state of Oregon in that they play a role in everything from the point of initial law enforcement contact to post-prison supervision, with the exception of prosecution;
- Criminal justice is a complex issue;
- The council manages the client support fund that is raised through reentry fundraisers;
- The council will provide advice regarding the Bureau of Justice Assistance Law Enforcement Assisted Diversion (LEAD) grant; and
- The list of council appointees is dynamic and can change:
  - There may be an additional name added to the list in the near future.

***Board discussion:***

- The Commissioners appreciate how responsive the parole and probation team are, and thanked the team for the good work that they do;
- The Sheriff's Office does not forget about the dignity of the person that they are holding accountable;
- The Sheriff's Office, judges, and district attorney do not give up, and do not get cynical:
  - They figure out how to take the resources they have to limit the damage to the community.
- There are many individuals in the community who take personal responsibility for the safety of the community, and it makes a difference;
- Sheriff deputies and police are not the only ones who are responsible for public safety, all citizens are responsible for public safety; and
- Videos covering the reentry initiative breakfast can be found on the Marion County YouTube page:
  - The breakfast showcases citizens that have successfully gone through justice reinvestment initiative programs who are now contributing members of the community.

**MOTION:** Commissioner Cameron moved to approve orders approving the appointment of the 15 individuals as written as members of the Marion County Justice Reinvestment Council with terms ending December 31, 2024. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:15:03)*

SHERIFF'S OFFICE

2. Consider approval of an order revising the bylaws for the Marion County Justice Reinvestment Council. –Undersheriff Jeff Wood

***Summary of presentation:***

None.

***Board discussion:***

None.

**MOTION:** Commissioner Bethell moved to approve an order revising the bylaws for the Marion County Justice Reinvestment Council. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

*(Video Time 00:15:25)*

COMMUNITY SERVICES

3. Consider approval of the Intergovernmental Agreement with the City of Gates in the amount of \$120,000 for the Gates Business District Development Plan through June 30, 2024. –Kelli Weese and Brian Gander, City of Gates, Mayor Elect

***Summary of presentation:***

- The Gates Business District Development Plan is related to wildfire recovery;
- Marion County has set aside economic development funds for this intergovernmental agreement (IGA):
  - Economic development funds come from Oregon lottery dollars; and
  - The funds are used to support efforts that promote job creation and economic development in the region.
- The development of the Gates Business District Development Plan would involve the following:
  - Extensive community outreach;
  - Evaluate existing land uses and zoning:
    - Make recommendations for potential changes to support a vibrant commercial corridor.
  - Develop a recommendation for public street scape; and
  - Design parking and amenities.
- If the city chooses to, the Business District Development Plan can be used to establish new zoning code amendments;
- The City of Gates will hire a consultant, have ownership of the project, and lead the effort;
- The IGA has a detailed timeline for deliverables;
- The agreement is through June 30, 2024, with an opportunity for a one-year extension;

- The Board has reviewed this during Economic Development work sessions; and
- The City of Gates reviewed and approved the IGA at their December 15, 2022, council meeting.

Brian Gander, City of Gates, Mayor Elect:

- The City of Gates is excited about this opportunity;
- After the damage and destruction of the wildfires the city needs to reach out to its citizens and see what their vision is for the city;
- The city is currently looking at their ordinances and zoning to bring them up to current standards; and
- The Business District Development Plan can be integrated with the North Santiam Sewer Authority work to create a prospectus for potential businesses.

***Board discussion:***

- Mr. Gander thinks that once a consultant is hired it will take approximately six to eight months to complete the plan;
- Mr. Gander commented that Gates needs to be able to attract families to the community, and that requires housing to be available for various income levels:
  - It is hard to encourage growth with the current septic and lot size requirements.
- Commissioner Cameron thanked the state legislature and former Representative Clem who ran the wildfire recovery committee:
  - The state gave \$40 million for a sewer system in the canyon that will greatly help Mill City and Gates; and
  - Public Works and Community Services staff are working with a consultant to facilitate the sewer system getting completed as quickly and efficiently as possible.
- The Commissioners thanked Mr. Gander for serving his community, and for the City of Gates taking ownership of this project:
  - It is important for every community member to have the opportunity to participate in the project; and
  - The county will support and advocate for the city as they go through this process.

**MOTION:** Commissioner Cameron moved to approve the Intergovernmental Agreement with the City of Gates in the amount of \$120,000 for the Gates Business District Development Plan through June 30, 2024. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:27:52)

## HEALTH AND HUMAN SERVICES

4. Consider approval of the Contract for Services with Santiam Memorial Hospital in the amount of \$250,000 to provide substance use disorder services and access to Behavioral Health Resource Network (BHRN) resources for clients residing in Marion County through June 30, 2024.

–Carol Heard

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

- The contract is funded through Measure 110 funding:
  - Measure 110 funding is for increasing access to substance use disorder treatment services.
- Santiam Hospital will increase access to substance use disorder treatment services to individuals in Marion County by providing referrals, peer support, transportation, and follow-up with participants;
- Their primary focus will be to increase access to services for individuals living in the Santiam Canyon; and
- They will assign three full time employees in community clinics to assist individuals with substance use disorders by providing the following:
  - Identify appropriate services and refer to partner agencies or other agencies within the community;
  - Utilize community resources and partnerships to create a more robust pathway into treatment services for individuals experiencing substance use disorders; and
  - Provide outreach and education to assist in overcoming barriers and stigmas in accessing these services.

### ***Board discussion:***

- Measure 110 funding is being distributed to community-based organizations throughout the county;
- The Santiam Hospital also serves the residents of Linn County who are able to receive these services; and
- The county needs to receive good data and reporting on these services to determine whether or not they are effective:
  - It is important for the county to track the effectiveness of these services; and
  - The contract requires providers to submit quarterly reports on the individuals they have served.

**MOTION:** Commissioner Bethell moved to approve the Contract for Services with Santiam Memorial Hospital in the amount of \$250,000 to provide substance use disorder services and access to Behavioral Health Resource Network (BHRN) resources for clients residing in Marion County through June 30, 2024. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:32:02)

5. Consider approval of the Contract for Services with PODER Oregon's Latino Leadership Network in the amount of \$250,000 to provide substance use disorder services and access to Behavioral Health Resource Network (BHRN) resources for clients residing in Marion County through June 30, 2024. –Carol Heard

**Summary of presentation:**

- The contract is funded through Measure 110 funding;
- PODER will focus on public messaging to help destigmatize accessing treatment services, and to connect individuals with substance use disorder services through Marion County's BHRN or other community partners:
  - They will focus on the Latinx community.
  - They will launch a robust public relations campaign that will include advertising, digital ads, videos, and the press aimed at breaking down the stigma related to addiction and seeking treatment services, within the Latinx community.
- They will host community events specifically for the Latinx community to provide education and outreach, as well as connecting individuals to treatment services; and
- They will work with community partners who will provide bilingual, bicultural case management, and who will make appropriate referrals for individuals with substance use disorders.

**Board discussion:**

- Individuals involved with treatment will be asked how they heard about the services:
  - This information will be documented and recorded; and
  - The public relations campaign will focus primarily on Latino radio stations.
- The contract provides for an initial funding amount, and then the organization will bill the county for services provided:
  - There are ongoing reporting requirements for the organization to be able to access additional funding:
    - The organization will have to report on what they have done with the money they have received.
- It would be hard for a marketing company to be able to quantify the information that is called for in the contract's data reporting and requirements:
  - They are going to have to work with the other grant organizations to gather the data.
- The Commissioners requested individual reports from each of the organizations regarding how they have spent their funding, and how effective the services they offer have been:
  - It could be hard for PODER to quantify how effective their services have been, but they should be able to provide the following:
    - How many people they spoke with;
    - The names of individuals they spoke with;
    - Who are the individuals working with; and

- Did the individuals engage:
      - If they engaged, how many times have they engaged; and
      - If they failed out, why did they fail out.
- All five organizations are accountable for these funds:
  - Ms. Heard will let the organizations know what information the Commissioners expect.

**MOTION:** Commissioner Cameron moved to approve the Contract for Services with PODER Oregon’s Latino Leadership Network in the amount of \$250,000 to provide substance use disorder services and access to Behavioral Health Resource Network (BHRN) resources for clients residing in Marion County through June 30, 2024. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:38:59)*

PUBLIC WORKS

6. Consider approval of Amendment #1 to the Purchase Order with Day Wireless Systems, Inc. to add \$450,000 for a new contract total of \$500,000 to provide equipment upfitting services for emergency vehicles through June 30, 2023. –Dennis Mansfield

**Summary of presentation:**

- Day Wireless is a wireless communication company that was started in 1969:
  - They have service centers throughout the western United States, including in Idaho and Wyoming.
- They specialize in radio infrastructure and outfitting of public safety vehicles;
- The county’s previous contract with LEHR ended on December 31, 2022;
- The original purchase order with Day Wireless for \$50,000 used the city of Salem’s cooperative agreement:
  - The original purchase order allowed Day Wireless to outfit a couple of vehicles, and then the Sheriff’s Office was able to check the quality of their work:
    - The Sheriff’s Office says that the work meets their specifications and needs.
- The city of Salem’s cooperative agreement is a one-year agreement with an option to extend four times annually, for a total of up to five years:
  - The cooperative agreement includes a 30-day notice to extend:
    - This is not an ideal situation for the county, as the county does not want to be reliant on someone else’s relationship that could end with very little notice.
  - The county is in the process of working on a request for proposals so that they can have their own contract for services:
    - The goal is to have a contract for the Board to review and approve in May or June of 2023.

- Vehicle arrival dates are still uncertain as the county has not received vehicles that were ordered in 2021:
  - The amendment amount is based on the county receiving all of their vehicles in time for Day Wireless to complete the outfitting.
- Vehicle outfitting costs are budgeted in the Fleet Management fund for this fiscal year.

**Board discussion:**

- The original contract was for \$50,000 so it did not have to come before the Board before being approved:
  - The Commissioners do not like it when the first time they see a contract is in an amendment to an already existing contract; and
  - When a new contract is started or when a new program is initiated by a department, the Commissioners expect it to be presented at a Management Update meeting before the contract is executed or the program is started.

**MOTION:** Commissioner Bethell moved to approve Amendment #1 to the Purchase Order with Day Wireless Systems, Inc. to add \$450,000 for a new contract total of \$500,000 to provide equipment upfitting services for emergency vehicles through June 30, 2023. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

*(Video Time 00:43:24)*

7. Consider approval of the Public Improvement Agreement with Roy Houck Construction, LLC in the amount of \$2,027,777.77 of which an estimated \$1,516,226.13 will be provided in federal funds and an estimated \$511,551.64 will be provided by the county for the 2022 Beachie Creek Resurfacing of North Fork Road SE project through December 31, 2024. –Lani Radtke

**Summary of presentation:**

- North Fork Road is approximately 15 miles long;
- The county finished a chip seal project in the area right before the 2020 wildfires:
  - The wildfire damaged road surfaces; and
  - In addition to wildfire damage, the area has seen a lot of heavy truck traffic due to the recovery efforts.
- The county is preparing to start a resurfacing project in the area using a 1½” overlay on approximately 15 miles of roadway:
  - Gravel shoulders are required to match the overlay surface; and
  - The finish work includes centerline and shoulder striping.
- Five bids were received, with Roy Houck Construction, LLC submitting the low bid of \$2,027,777.77:
  - The county received federal funds, so the estimated county contribution is \$511,552.
- The construction will start this spring and will be completed by the end of June 2023; and



- The contract is through December 31, 2024, to accommodate warranty work.

**Board discussion:**

- Ms. Radtke will get back to the Commissioners regarding if any of this road work is being done around the slide area;
- There is other work that needs to be done before the gates open including guardrail and signs:
  - Those contractors will be coordinating with Roy Houck Construction to ensure that the work is being done appropriately; and
  - The resurfacing project will be completed before the road is reopened.
- The project will include the following:
  - Communicating with area residents;
  - Lane closure, not section closure:
    - One lane will remain open for two-way traffic with flaggers; and
    - There are limits to how long motorists can be kept waiting so there will be some delays, but they will not be long.
  - The road will be open at night.

**MOTION:** Commissioner Cameron moved to approve the Public Improvement Agreement with Roy Houck Construction, LLC in the amount of \$2,027,777.77 of which an estimated \$1,516,226.13 will be provided in federal funds and an estimated \$511,551.64 will be provided by the county for the 2022 Beachie Creek Resurfacing of North Fork Road SE project through December 31, 2024. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

*(Video Time 00:47:47)*

8. Consider approval of Amendment #2 to the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation (ODOT) to add \$525,099.74 of which an estimated \$471,982 will be provided in federal funds, and an estimated \$30,000 will be provided by the state, and an estimated \$23,117.74 will be provided by the county for a new contract total of \$3,483,465.74 for the Center Street NE Improvements, Lancaster Drive to 45th Place NE project through June 13, 2029. –Lani Radtke and Shane Ottosen Jr.

**Summary of presentation:**

- The project is located in east Salem;
- The project scope includes the following:
  - A continuous center turn lane;
  - Sidewalks and bike lanes on the north side of the road, including ADA compliant improvements;
  - Stormwater treatment, detention, and conveyance facilities; and
  - Two enhanced pedestrian crossings.

- Staff has been working on finding additional funding for their projects:
  - Additional funding has been received for this project for additional right-of-way costs and for the second enhanced pedestrian crossing.
- The previous project estimate was approximately \$3 million;
- The new project estimate is approximately \$3.5 million;
- Design and right of way acquisition is currently being worked on; and
- The goal is for construction to take place in 2024.

***Board discussion:***

- Center Street was chosen for this project because it is considered to be regionally significant for getting people in and out of Salem:
  - Cordon Road and State Street are also considered to be regionally significant.
- As you travel out of Salem city limits and into Salem’s urban growth boundary Center Street goes through both the county and the city:
  - This project is working on the main county section along with a small part that is within the city;
  - As you move further east on Center Street the road is mostly within the city; and
  - This project ends at the city of Salem’s boundary.
- Most of the funding for the project is coming from the Salem-Keizer Area Transportation Study (SKATS):
  - SKATS is federal funding.
- Some of the additional funding is coming from an All Roads Transportation Safety (ARTS) Program grant; and
- The Safe Routes to School program is funding the pedestrian crossing at Citation Drive since it is a critical piece for pedestrian safety of children traveling to Auburn Elementary School.

**MOTION:** Commissioner Bethell moved to approve Amendment #2 to the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation (ODOT) to add \$525,099.74 of which an estimated \$471,982 will be provided in federal funds, and an estimated \$30,000 will be provided by the state, and an estimated \$23,117.74 will be provided by the county for a new contract total of \$3,483,465.74 for the Center Street NE Improvements, Lancaster Drive to 45th Place NE project through June 13, 2029. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:56:21)

9. Consider approval of the Construction Contract with Gelco Construction Company in the amount of \$2,585,102.15 of which an estimated \$2,319,612.16 will be provided in federal funds and an estimated \$265,489.99 will be provided by the county for the Construction of Hollywood Drive, Silverton Road to Greenfield Lane project through December 31, 2023. –Lani Radtke and Mark Foster

**Summary of presentation:**

- The project is on Hollywood Drive, from Silverton Road to 700 feet south of Greenfield Lane:
  - A small section of the project is within the city of Salem:
    - The city will reimburse the county for their share of the matching funds.
- The project scope includes the following:
  - Widening the paved shoulders to accommodate for continuous bike lanes;
  - Completing sidewalks on both sides of Hollywood Drive;
  - Installing a new traffic signal at the intersection of Hollywood Drive and Silverton Road; and
  - Constructing a new westbound left turn lane on Hollywood Drive to relieve northbound congestion.
- Five bids were received, with Gelco Construction Company submitting the low bid of \$2,585,102; and
- The goal is for the project to be completed by the end of this year.

**Board discussion:**

- A lot of children walk to school using this road;
- This project will provide more safety to students exiting school buses;
- Traffic signals are important for safety;
- The signals on Silverton Road will be timed so that they are communicating with each other, and they are as efficient as possible; and
- The city of Salem will be maintaining the new traffic signal.

**MOTION:** Commissioner Cameron moved to approve the Construction Contract with Gelco Construction Company in the amount of \$2,585,102.15 of which an estimated \$2,319,612.16 will be provided in federal funds and an estimated \$265,489.99 will be provided by the county for the Construction of Hollywood Drive, Silverton Road to Greenfield Lane project through December 31, 2023. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 01:04:10)

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

**PUBLIC WORKS**

A. Public hearing to consider an amendment to Marion County's Comprehensive Plan amending the City of Sublimity Urban Growth Boundary (UGB). –Austin Barnes

***Summary of presentation:***

- The City of Sublimity has proposed an amendment to its urban growth boundary:
  - They held hearings and adopted an ordinance to add 7.2 acres of land to be used as right of way.
- Establishing or revising a UGB is a cooperative process between the city and the county, so the City of Sublimity has requested that the county concur in the UGB amendment;
- On November 2, 2022, the Marion County Board of Commissioners approved a resolution initiating amendments to the county comprehensive plan to consider concurring in an amendment to the City of Sublimity UGB:
  - A public hearing was scheduled for January 11, 2023.
- An analysis was conducted by the city's consultant that found that this roadway would create connectivity between the existing east west roads, as well as allow for public utilities to be extended within its right of way;
- The road was identified in the 1998 Sublimity Transportation System Plan (TSP) as a "conceptual future street":
  - It was also identified in the Marion County TSP as a "possible peripheral route (designated by cities)."
- It was also found that the expansion would increase the safety and serviceability of Sublimity's road networks, and it provides for an orderly and efficient arrangement of public facilities and services for urban development;
- During the city's public hearings process, county planning staff reviewed the city's staff report and findings to ensure compliance with state planning goals and Marion County code;
- Upon approval of the UGB amendment, 6.8 acres of the land would be annexed into the city:
  - The remaining .4 acres will remain outside of the incorporated city until it is annexed and provided with services:
    - In order to apply an appropriate urban zoning until the land is annexed, staff recommends that the urban transition zone be applied to the .4 acres of land.
- Staff recommends that the Board concur with the City of Sublimity Comprehensive Plan Urban Growth Boundary amendment, and direct staff to prepare an ordinance approving the amendments to the Marion County Comprehensive Plan by adopting the amendments to the City of Sublimity Urban Growth Boundary amendment of 7.2 acres of land for right of way.

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**Testimony:**

**Support:**

Jesse Winterowd, consultant for the City of Sublimity:

- The City of Sublimity has been working on this amendment for over four years; and
- The city has dedicated the right of way and is ready to move forward with the road.

**Board discussion:**

- Mr. Barnes noted that there is an error in the first paragraph of the staff report:
  - The report erroneously references Oregon Revised Statutes (ORS) 197.025(1) when it should reference ORS 195.025(1); and
  - The staff report is not adopted into the ordinance, it is a supplementary document, so the error does not affect this process.
- The ordinance will be presented for adoption at a future Board Session meeting.

**MOTION:** Commissioner Bethell moved to close the public hearing and concur in the City of Sublimity's Urban Growth Boundary (UGB) amendment, directing staff to return with an ordinance consistent with the Board's decision. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

*(Video Time 01:10:05)*

The Commissioners' calendar for the upcoming week is available on the county's website.

Commissioner Willis adjourned the meeting at 10:18 a.m.

  
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CHAIR

  
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COMMISSIONER

  
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COMMISSIONER

**Board Sessions can be viewed on-line at**

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

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