

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, December 27, 2023
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Colm Willis and Commissioner Kevin Cameron. Also present were Jane Vetto as county counsel and Brenda Koenig as recorder.

ABSENT: Commissioner Danielle Bethell and Jan Fritz, chief administrative officer

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

(Video Time 00:01:13)

PUBLIC COMMENT

None.

(Video Time 00:00:39)

MOTION: Commissioner Cameron moved to add an item to the consent agenda under Community Services. In the matter of delegating authority to the Chief Administrative Officer to sign a down payment assistance agreement in the amount of \$125,000. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:01:13)

CONSENT

COMMUNITY SERVICES

Approve an order delegating authority to the Chief Administrative Officer to sign a down payment assistance agreement in the amount of \$125,000.

(Motion made and approved to add this item to the Board Session Agenda.)

HEALTH AND HUMAN SERVICES

1. Approve the Contract for Services with Lori Linton-Nelson, PMHNP, in the not-to-exceed amount of \$300,000 to provide Psychiatric Mental Health Nurse Practitioner (PMHNP) services to individuals receiving mental health services at Marion County Health and Human Services through December 31, 2025.

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2023\12-27-2023

HUMAN RESOURCES

2. Approve the recommendation to update the classifications and uphold the pay grades for class codes #072, Evidence Technician; #134, Records Specialist, Sheriff's Office; and #143, Facility Security Aide 2; update the classifications and adjust the pay grades upward for class codes #003, Office Specialist 2, Sheriff's Office; #067, Property Specialist, Sheriff's Office; #100, Office Specialist 3, Sheriff's Office; #180, Undersheriff; and #198, Support Services Technician; and adopt and establish the classification and pay range for Grounds Supervisor under class code #465.

PUBLIC WORKS

3. Approve an order transferring jurisdiction from Marion County to the City of Woodburn for a portion of Parr Road located within the City of Woodburn city limits.

TREASURERS OFFICE

4. Approve an order for the distribution of Oregon State Forestry timber revenue in the amount of \$115,699.04, as referenced in Exhibit A, per ORS Chapter 530.

Board discussion:

- The states current proposed Habitat Conservation Plan (HCP) may negatively impact revenue for counties in the future;
- The state built its entire government services system on the timber industry;
- Multiple decisions have severely harmed the timber industry;
- Many local governments are dependent on timber revenues; and
- Citizens may be negatively impacted without the timber revenues.

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

(Video Time 00:05:34)

ACTION

HEALTH AND HUMAN SERVICES

5. Consider approval of Amendment #12 to the incoming funds Intergovernmental Agreement with the Oregon Health Authority (OHA) to add \$117,100 for Mental Health Services (MHS) 17, Non-OHP Community and Residential Assistance, for a new contract total of \$27,504,790.51 through December 31, 2023. –Ryan Matthews

Summary of presentation:

- Mr. Matthews provided one presentation for both items five and six on the agenda:
 - Amendment #12 and Amendment #13 are for the same contract:
 - Amendment #12 adds funding in the amount of \$117,100; and
 - Amendment #13 adds funding in the amount of \$39,236.16.
 - The incoming funds for both amendments are utilized for Mental Health Services (MHS) 17, Non-OHP Community and Residential Assistance.

- Mental Health Services (MHS) 17, Non-OHP Community and Residential Assistance is for invoiceable services for individuals in residential care including:
 - Residential treatment homes or facilities; and
 - Adult foster homes.
- Funding is available for any physical or mental health needs that are over what the facilities are paid for ongoing services:
 - Currently an adult residential facility is paid a daily rate;
 - The daily rate provides for:
 - Staffing;
 - Food;
 - Skills training; and
 - Outings.
 - The additional funding is utilized for services not covered by Medicaid benefits.
- The initial contract provides the county with a pool of funds that residential and adult foster facilities can bill against:
 - Amendments to the contract occur once the initial funds have been spent;
 - Additional expenses and invoices have come in that the Oregon Health Authority (OHA) is committed to pay; and
 - OHA provides the county with pass-through funding so that adult residential care facilities can be reimbursed.
- Marion County is only reimbursed for what is spent for the service provided; and
- The county passes the reimbursement funding onto the providers.

Board discussion:

- The lump sum of funding helps to reduce the burden on administrative staff;
- It is important that providers be reimbursed, and that funding is not delayed;
- Residential care providers need a way to recoup expenses when additional services are needed;
- Individuals do not have the resources to pay for additional services; and
- OHA set up this mechanism so that providers can receive payment and individuals are provided with needed care and have access to critical healthcare services.

MOTION: Commissioner Cameron moved to approve Amendment #12 to the incoming funds Intergovernmental Agreement with the Oregon Health Authority (OHA) to add \$117,100 for Mental Health Services (MHS) 17, Non-OHP Community and Residential Assistance, for a new contract total of \$27,504,790.51 through December 31, 2023. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:10:50)

6. Consider approval of Amendment #13 to the incoming funds Intergovernmental Agreement with the Oregon Health Authority (OHA) to add \$39,236.16 for Mental Health Services (MHS) 17, Non-OHP Community and Residential Assistance, for a new contract total of \$27,544,026.67 through December 31, 2023. –Ryan Matthews

Motion: Commissioner Cameron move to approve Amendment #13 to the incoming funds Intergovernmental Agreement with the Oregon Health Authority (OHA) to add \$39,236.16 for Mental Health Services (MHS) 17, Non-OHP Community and Residential Assistance, for a new contract total of \$27,544,026.67 through December 31, 2023. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:11:27)

7. Consider approval of ten Franchise Agreements with the following entities to provide emergency and non-emergency ambulance services effective January 1, 2024, through December 31, 2028:

- Jefferson Rural Fire Protection District;
- Keizer Rural Fire Protection District;
- Lyons Rural Fire Protection District;
- Marion County Fire District No. 1;
- Polk County Fire District No. 1;
- St. Paul Rural Fire Protection District;
- Salem Fire Department;
- Santiam Memorial Hospital;
- Turner Rural Fire Protection District; and
- Woodburn Ambulance Service.

–Katrina Griffith and Matthew Neuenheim

Summary of presentation:

- The request before the board is consideration of 10 Ambulance Service Area (ASA) agreements effective January 1, 2024, through December 31, 2028;
- The ten agencies for consideration include:
 - Jefferson Rural Fire Protection District;
 - Keizer Rural Fire Protection District;
 - Lyons Rural Fire Protection District;
 - Marion County Fire District No. 1;
 - Polk County Fire District No. 1;
 - St. Paul Rural Fire Protection District;
 - Salem Fire Department;
 - Santiam Memorial Hospital;

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2023\12-27-2023

- Turner Rural Fire Protection District; and
- Woodburn Ambulance Service.
- The county has been working with the ten agencies over the past twelve months;
- The agencies have worked well together; and
- The collaboration has been successful and positive.

Board discussion:

- A lot of negotiation has been required over the past year; and
- The commissioners expressed their appreciation to staff for all their work with the ten agencies.

MOTION: Commissioner Cameron moved to approve ten Franchise Agreements with Jefferson Rural Fire Protection District, Keizer Rural Fire Protection District, Lyons Rural Fire Protection District, Marion County Fire District No. 1, Polk County Fire District No. 1, St. Paul Rural Fire Protection District, Salem Fire Department, Santiam Memorial Hospital, Turner Rural Fire Protection District, and Woodburn Ambulance Service, to provide emergency and non-emergency ambulance services effective January 1, 2024, through December 31, 2028. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:16:25)

PUBLIC WORKS

8. Consider the first reading of an ordinance reducing turbidity in stormwater and prohibiting mercury contaminated discharges to the public stormwater drainage.

–Matt Knudsen and Scott Norris

Summary of presentation:

- The request before the board is the first reading of an ordinance reducing turbidity in stormwater and prohibiting contaminated discharges to the public stormwater drainage;
- The Oregon Department of Environmental Quality (DEQ) went through a process to determine the amount to mercury loading that can occur within the Willamette Basin:
 - Through the process, the Water Quality Management Plan (WQMP) was developed and passed down to jurisdictions.
- Requirements for Oregon counties within the Willamette Basin include:
 - Reduce the conveyance of mercury and mercury-related pollutants to waterbodies from county lands and properties; and
 - Have enforcement capabilities for entities that contribute mercury-related pollutants to county properties and assets.
- The county collaborated with an advisory committee and developed a plan in 2022;
- The advisory committee consists of:
 - Home builders; and
 - Agricultural interests.

- Staff updated the board in June 2023 and October 2023;
- The Total Maximum Daily Loads (TMDL) are applied countywide in unincorporated areas;
- The TMDL is included in the Stormwater Management Area (SWMA) which is regulated by a different permit process:
 - There is a higher level of permitting required for the SWMA.
- The draft code is inclusive of the mercury and sediment only:
 - No properties can discharge mercury or sediment;
 - This is a minimum requirement by the DEQ; and
 - The DEQ is the primary enforcement authority for all other pollutants.
- The current process for areas inside the SWMA entails:
 - An illicit discharge report is drafted;
 - Staff ensures the discharge is contained;
 - Education is provided to the property owner; and
 - An enforcement process will be utilized if there is no response from the property owner.
- The current process for areas outside of the SWMA entails:
 - The illicit discharge is reported to the DEQ and the Oregon Department of Agriculture; and
 - The DEQ will respond with enforcement action.
- The Oregon DEQ implementation deadline is March 2024;
- Public education related to the new state requirements will include:
 - Outreach;
 - Promotional materials; and
 - Social media.
- Oregon statute requirements for adoption of this ordinance include:
 - The first reading of the ordinance by title only will be performed at this meeting;
 - The second reading for the ordinance by title only will occur at board session in two weeks; and
 - Following the second title reading, the board will consider adoption of the ordinance.
- If approved, the ordinance will take effect 90 days after the second title reading.

Board discussion:

- The state is requiring the county to implement the WQMP;
- Water and air quality is important to the county;
- Some of the state's requirements may be excessive;
- The county wants to meet the state's requirements while not putting restrictions that overburden community citizens;
- The commissioners expressed their appreciation to staff for taking a balanced approach with the state's requirements;

- Staff received feedback from both the advisory committee and the commissioners regarding the state's requirements; and
- Staff took all the feedback into account when drafting the ordinance.

MOTION: Commissioner Cameron moved that the chair read by title only an ordinance to reduce turbidity in stormwater and prohibiting mercury contaminated discharges to the public stormwater drainage. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

Commissioner Willis read the ordinance by title only once.

(Video Time 00:29:09)

PUBLIC HEARINGS 9:30 A.M.

FINANCE

A. Public hearing to consider adopting the Fiscal Year 2023-24 First Supplemental Budget.

–Daniel Adatto

Summary of presentation:

- The county's budget is increasing by \$29.2 million;
- The total county budget is \$718 million;
- Public notice was posted in the Woodburn Independent newspaper on December 20, 2023;
- Copies of the budget are available to review on the Marion County website and in the Board of Commissioners (BOC) Office;
- The budget was reviewed in detail at a Management Update Meeting on December 5, 2023;
- A net decrease of 0.5 Full Time Equivalent (FTE) was reported for all county departments;
- The budgets for 35 funds have been modified;
- Net Working Capital was adjusted to actual balance in accordance with county policy; and
- The county's second supplemental budget is tentatively scheduled for February 2024.

Board discussion:

- Adjustments were made to Capital for new projects including:
 - The Public Safety, Very High Frequency (VHF) Radio Upgrade project in the amount of \$434,000;
 - The Marion County Jail D-Pod Exercise Yard project for \$131,000; and
 - The District Attorney (DA) Medical Examiner's Office Remodel project for \$579,000.
- Projects that were canceled include:

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2023\12-27-2023

- The Clerk's Office Election Tally Upgrade:
 - It was determined that the upgrade was no longer needed.
- The Marion County Jail Shop Roof Repair:
 - Staff found another solution to repair only the needed portions of the roof.
- The Clerk's Office Records Management System Upgrade:
 - It was determined that the project was for materials and services; and
 - The project did not need to be capitalized.
- Staffs' extensive budget experience has benefitted the county;
- The largest expense in the county budget is the staff serving Marion County;
- FTE changes to the budget include:
 - Marion County Public Works added two FTEs for park maintenance and restoration;
 - The Marion County Sheriff's Office reduced one FTE due to a grant fund terminating; and
 - The county did not increase FTEs overall but instead reprioritized the hiring and staffing process.
- The county has done a great job completing projects on time and under budget;
- The county's debt ratio is low relative to the number of new buildings that have been created;
- The Executive Summary in the budget details FTE information; and
- No one signed up to testify for public comment.

Commissioner Willis closed the public hearing.

(Video Time 00:37:52)

ACTION

FINANCE

9. Consider approval of a resolution to adopt the Fiscal Year 2023-24 First Supplemental Budget. **(TO BE ACTED ON FOLLOWING THE PUBLIC HEARING)** –Daniel Adatto

MOTION: Commissioner Cameron moved to approve a resolution to adopt the Fiscal Year 2023-24 First Supplemental Budget. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

Commissioner Willis adjourned the meeting at 9:38 a.m.



CHAIR



COMMISSIONER

Not Present At Meeting

COMMISSIONER

Board Sessions can be viewed on-line at

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