

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, June 14, 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 Jane Vetto as county counsel, and Brenda Koenig as recorder.

ABSENT: Jan Fritz, chief administrative officer.

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

(Video Time 00:02:21)

PUBLIC COMMENT

None.

(Video Time 00:02:22)

PRESENTATION

1. Oregon Garden Biannual Report. –Kelli Weese, Ken Hector, Oregon Garden Foundation Chair, and Delen Kitchen, Oregon Garden Foundation Director of Operations

Summary of presentation:

- This is the final biannual update for the county’s current contract:
 - The five-year contract is part of Marion County’s Economic Development Program;
 - The contract is approximately \$100,000 annually; and
 - The contract utilizes economic development lottery funds.
- An update of the last six months entails the following:
 - A holiday bazaar was held in December 2022:
 - Approximately 2,000 guests attended the event; and
 - Activities included the following:
 - A craft market;
 - Attendance by Santa and one of his elves; and
 - Youth activities.
 - The month of April 2023 entailed the following activities:

- The project was funded by a grant from the Oregon State Fire Marshall's Office;
- The deck has been rebuilt and is now safer and more fire resistant;
- Overgrown foliage around the house has been removed;
- A landscaper from eastern Oregon who specializes in fire wise landscape design, has developed a plan;
- Shrubs have been planted around the house; and
- The Fire Safe House has two educational events scheduled for the future.
 - The driveway has been updated:
 - A landscaper completed a landscape design for the driveway area;
 - Local nurseries donated plants; and
 - The updated driveway provides an impactful welcome for guests.
 - Staff continues to remove invasive plants throughout the garden.
- Upcoming summer events include the following:
 - The new "Music on the Lawn" series will be held on two Thursdays in the months of June, July, and August:
 - Community members are invited to attend the music events.
 - The annual fireworks celebration will be held on July 3, 2023:
 - More food vendors will be in attendance;
 - Childrens entertainment will include:
 - Lawn games;
 - Face painting;
 - A balloon artist; and
 - Putt-putt golf.
- Oregon Garden attendance slows down in the winter months but picks up again in April:
 - The garden tram starts running the first of April:
 - Approximately 1,800 guests have ridden the tram to date; and
 - This is an increase over prior years.
- Community interest in the garden has increased:
 - The activity and the crowd levels have been good.

Board discussion:

- The Oregon Garden was recently showcased on a local television station; and
- Marion County has a lot to offer for individuals visiting the area.

(Video Time 00:13:16)

CONSENT

DISTRICT ATTORNEY'S OFFICE

2. Approve the Intergovernmental Agreement with the Oregon Office of Public Defense Services in the amount of \$583,281 for reimbursement of discovery fees from August 2021 through April 2023.

HUMAN RESOURCES

3. Approve an order for the creation of Unit 17 in Oracle to accommodate the new bargaining unit that is forming for Marion County's Deputy District Attorneys.

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

(Video Time 00:14:15)

ACTION

BOARD OF COMMISSIONERS

4. Consider approval of American Rescue Plan Act (ARPA) Beneficiary Agreement with the Santiam Memorial Hospital in the amount of \$1,000,000 for Phase I of the Emergency Room Expansion project through December 31, 2026. –Debbie Gregg and Camber Schlag

Summary of presentation:

- The Beneficiary Agreement is with the Santiam Memorial Hospital;
- Marion County was allocated \$67 million in American Rescue Plan Act (ARPA) funding:
 - The ARPA allocation is for coronavirus state and local fiscal recovery funds;
 - The funds are in response to the economic and public impacts due to the COVID-19 pandemic; and
 - The funding provides support for the following governments:
 - State;
 - Territorial;
 - Local; and
 - Tribal.
- Approximately 45 projects have been awarded for some of the following categories:
 - Public health;
 - Negative economic impact; and
 - Infrastructure.
- The board approved Santiam Memorial Hospital's application for ARPA funds at a Management Update meeting held on April 4, 2023:
 - The ARPA funds will assist in an Emergency Room (ER) expansion;

- The funds will be used to upgrade the Emergency Power (E-Power) for the hospital's ER; and
- The upgrade is necessary before the additional ER expansion project can be completed;
- The hospital experienced multiple difficulties due to the increase in patient care and the demands on facility resources during the COVID-19 pandemic:
 - The ER project will help mitigate future demands.
- The ARPA Beneficiary Agreement with the Santiam Memorial Hospital is for \$1 million;
- The hospital ER project is eligible for the ARPA funding:
 - ARPA funding allows for capital investments in public facilities to meet pandemic operational needs:
 - Improvement projects for public hospitals and health clinics are eligible for the funding.

Board discussion:

- A small amount of money can go a long way in helping organizations with improvements:
 - The overall project expense for the hospital's ER expansion is over \$6 million; and
 - The \$1 million in APRA funding was needed in order for the hospital to access other funds that will provide the remaining \$5 million.
- Santiam Memorial Hospital is the closest emergency facility for communities in the Santiam Canyon:
 - The hospital has a critical role in the infrastructure of communities located in the Santiam Canyon.

MOTION: Commissioner Bethell moved to approve the American Rescue Plan Act (ARPA) Beneficiary Agreement with the Santiam Memorial Hospital in the amount of \$1,000,000 for Phase I of the Emergency Room Expansion project through December 31, 2026. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:18:33)

Community Services

5. Consider approval of the Intergovernmental Agreement with the Mid-Willamette Valley Council of Governments in the amount of \$476,702 for administration of the Community Development Block Grant (CDBG) Rehabilitation Program through May 30, 2027.

–Chris Eppley and Steve Dickey

Summary of presentation:

- The Mid-Willamette Valley Council of Governments (MWVCOG) will be running portions of the county’s Community Development Block Grant (CDGB) Residential Rehabilitation Program;
- The CDBG Homeowner Rehab Program has been discussed at multiple Work Session meetings;
- A Request for Proposal (RFP) was noticed for the contract:
 - MWVCOG was the successful bidder.
- MWVCOG will perform the following:
 - Provide information and assist interested parties in the qualification process:
 - County staff will review the information and make the final determination in accordance with Department of Housing and Urban Development (HUD) requirements.
 - Arrange site visits to evaluate the existing conditions of the residents;
 - Coordinate any required testing regarding lead-based paint or asbestos abatement;
 - Review contractor proposals to ensure some of the following:
 - That the actual needs are being addressed;
 - That contractors are charging reasonable market rates for labor and materials; and
 - That proper permits have been obtained prior to the start of work.
 - Conduct a final site visit to verify work has been completed to the county’s satisfaction.
- Staff recommends approval of the Intergovernmental Agreement (IGA) with the MWVCOG:
 - The IGA amount is \$476,702;
 - The CDBG Program will provide the first year of funding;
 - The IGA is for four years with an expiring term date of May 30, 2027:
 - There is an option to extend the IGA for one additional year; and
 - The term date for five years is August 1, 2028.

Board discussion:

- The funding dollars were increased by \$50,000:
 - Applicants can receive up to \$50,000:
 - This is not a guaranteed amount; and
 - Applicants could potentially receive less.

- Policy changes are being drafted and will be brought before the board in the near future.
- Individuals will qualify on an income basis under HUD guidelines;
- Qualified applicants will receive assistance with home rehabilitation which could include some of the following:
 - A new roof; or
 - A new heating or ventilation system.
- Assisting applicants with repair expenses helps the homeowner to maintain the home and may keep that applicant from potentially losing the home;
- Funding assistance is in the form of a zero percent, payment deferred, loan;
- There is a period of affordability:
 - If the homeowner sells the property or transfers ownership, then 100 percent will have to be paid back to the county.
- After five years there will be a declining loan amount that will be based off the original loan value:
 - Once the loan reaches 30 percent of what is owed, then the remaining loan value will remain as a lien on the property until the property is either sold or changes possession.
- Commissioner Bethell expressed the following:
 - The program is necessary in Marion County;
 - A recent study states that the United States has a shortage of 300,000 affordable housing units;
 - The county has two assistance programs, one of which is a down payment assistance program;
 - People with a home that is not up to a livable standard may be able to apply for down payment and, or rehabilitation assistance, to upgrade the structure to an affordable and livable home;
 - Individuals are encouraged to apply for assistance and improve their housing situation; and
 - Mortgage companies do not want to lend money for a home that is not livable or may require significant repairs.
- Marion County and MWVCOG will be advertising the program;
- Commissioner Willis expressed the following:
 - The program benefits the community by taking homes that currently are not livable and adds to the housing stock of livable homes in the community;
 - Homes need roofs and heating systems, which may require \$25,000 to \$30,000 each;
 - New homes are starting at \$400,000:
 - An individual can buy a home that requires less money but may not be in good condition and perform repairs that will make it a livable home.
 - The county has partnered with MWVCOG in the past;

- He requested that staff check in with MWVCOG frequently to ensure that everything is going well and advise the commissioners if there is an issue.
- Mr. Eppley expressed that there are time constraint requirements:
 - The funding needs to get out to the community; and
 - Staff will shepherd the program to ensure everything is going well.

Motion: Commissioner Cameron moved to approve the Intergovernmental Agreement with the Mid-Willamette Valley Council of Governments in the amount of \$476,702 for administration of the Community Development Block Grant (CDBG) Rehabilitation Program through May 30, 2027. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:28:48)

HEALTH AND HUMAN SERVICES

6. Consider approval of Amendment #2 to the incoming funds Intergovernmental Agreement (IGA) with the Oregon Health Authority to add funding in the amount of \$734,946 for a new contract total of \$1,134,946 for the PRIME + (Peer Recovery Initiated in Medical Establishments + Infectious Disease Testing and Linkage to Care) program through September 29, 2024.

–Carol Heard

Summary of presentation:

- Amendment #2 to the incoming funds Intergovernmental Agreement (IGA) with the Oregon Health Authority (OHA) provides for the following:
 - Increases funding in the amount \$734,946 for Prime + services;
 - Extends the IGA term date through September 29, 2024;
 - Extends the previous state opioid response grant project; and
 - Adds funding for a new project period through September 29, 2024.
- PRIME + is a program in which certified recovery mentors respond to overdose calls from the hospitals:
 - The service is provided twenty-four hours a day, seven days a week:
 - Mentors engage with patients; and
 - They help connect patients with services and resources when they are ready.
- Currently staff responds to calls from both Salem Health and Santiam Hospital; and
- Staff is in the process of connecting with Legacy Health in the City of Silverton.

Board discussion:

- There are challenges facing the unsheltered population in the City of Silverton community;
- There is a gap in the relationship with the following:
 - Legacy Health;
 - Marion County; and

- Sheltering Silverton:
 - Staff are working to bridge the gap so that residents can be helped.
- The Prime + program is actively working with Sheltering Silverton to address concerns with the unsheltered population;
- Certified recovery mentors respond to overdose calls at the hospitals:
 - They connect with patients to help engage the patient in any services that they may need at the time, which may include some of the following:
 - Treatment services;
 - Primary health care; or
 - Infectious disease testing.
 - The recovery mentor follows-up with the patient within 24-hours after the initial contact, and once the patient has been discharged from the hospital, to see if the patient needs any further assistance connecting to resources.

MOTION: Commissioner Bethell moved to approve Amendment #2 to the incoming funds Intergovernmental Agreement (IGA) with the Oregon Health Authority to add funding in the amount of \$734,946 for a new contract total of \$1,134,946 for the PRIME + (Peer Recovery Initiated in Medical Establishments + Infectious Disease Testing and Linkage to Care) program through September 29, 2024. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:34:10)

7. Consider approval of Amendment #15 to the incoming funds Public Health Intergovernmental Agreement (IGA) with the Oregon Health Authority to add \$79,098 for a new contract total of \$19,088,287.41 for the following Program Elements (PE) through June 30, 2023:

- Increases funding in the amount of \$29,098 for PE03-02, Tuberculosis Case Management; and
- Increases funding in the amount of \$50,000 for PE42-14, Home Visiting.

–Katrina Griffith

Summary of presentation:

- The funding will be utilized to support tuberculosis case management and home visiting;
- The \$29,098 allocated for tuberculosis case management is specifically for the screening of Ukrainian immigrants:
 - Currently there are multiple drug resistant and latent tuberculosis infections that are endemic in the country of Ukraine;
 - The county is required to screen Ukrainian immigrants within 90 days of their arrival:
 - The screening entails the following:
 - A blood test;
 - A chest x-ray; and

- Other diagnostic testing if needed.
 - The funding can be utilized through September 30, 2023.
- The \$50,000 in funding is allocated for the PE42-14, Home Visiting programs:
 - These are one-time funds that the Oregon Health Authority (OHA) had to support specifically the Family Connects Early Adopter sites:
 - This is not funding that the county expects to receive in the future;
 - In the past the program was not immediately sustainable;
 - Staff has had discussions with OHA expressing how this program needs adequate funding; and
 - OHA gave the Family Connects Early Adopter sites this one-time funding to assist.

Board discussion:

- The tuberculosis funding covers fees and staffing:
 - The county also receives some reimbursement from the state, as a fee-for-service:
 - A flat amount is provided based on what the state thinks the population will look like in Marion County.
- Commissioner Bethell stated for the record that when the motion is read it needs to state through September 30, 2023, and not June 30, 2023:
 - PE42-14, Home Visiting for \$50,000 is through June 30, 2023; and
 - PE03-02, Tuberculosis Case Management is through September 30, 2023.

MOTION: Commissioner Cameron moved to approve Amendment #15 to the incoming funds Public Health Intergovernmental Agreement (IGA) with the Oregon Health Authority to add \$79,098 for a new contract total of \$19,088,287.41 for the following Program Elements (PE): Increases funding in the amount of \$29,098 for PE03-02, Tuberculosis Case Management through September 30, 2023; and increases funding in the amount of \$50,000 for PE42-14, Home Visiting through June 30, 2023. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:39:08)

Commissioner Willis expressed that Agenda Items #8, #9, and #10 will be summarized in one presentation, followed by three separate motions. One motion for each agenda item.

(Video Time 00:39:30)

HEALTH AND HUMAN SERVICES

8. Consider approval of Amendment #7 to the incoming funds Mental Health Intergovernmental Agreement (IGA) with the Oregon Health Authority to add \$568,755.59 for a new contract total of \$21,100,286.16 for the following Service Codes through June 30, 2023:

- Decreases funding in the amount of \$415,188 for A&D 82 (Alcohol and Drug), Problem Gambling Residential Services;
- Increases funding in the amount of \$12,153.94 for MHS 01 (Mental Health Services), System Management and Coordination - Community Mental Health; and
- Increases funding in the amount of \$971,789.65 for MHS 25 (Mental Health Services), Mobile Crisis Intervention Services.

–Ryan Matthews

Summary of presentation:

- Marion County Health and Human Services provided one presentation for action items #8, #9, and #10 on the agenda;
- The funding is utilized for mental health and addiction services;
- There have been multiple contracting delays with the Oregon Health Authority (OHA):
 - The contracts ending term date of June 30, 2023, is quickly approaching; and
 - OHA has made three amendments to the contract before it expires.
- Marion County Health and Human Services (MCHHS) has known about the funding for six to nine months and has already started utilizing the funds and developing programs;
- Amendment #7 adds funding in the amount of \$568,755.59:
 - There are three contract actions occurring with the amendment:
 - The overall increase is offset in part by a decrease of \$415,188 in problem gambling residential funds:
 - The services are provided by Bridgeway Recovery Services; and
 - The contract process has changed in the past six months and Bridgeway Recovery Services is currently contracting directly with OHA for the services:
 - OHA has removed the allocation from Marion County;
 - The change does not impact the service level or funding for the community; and
 - Only the mechanism for how the provider is paid has changed.
 - The county received an increase of \$12,153.94 in mental health specialist dollars:

- This provides for local administration and coordination of the contract.
 - An increase of \$971,789.65 is for mobile crisis services:
 - Currently funding helps support community response teams which consists of the following:
 - A qualified mental health professional; and
 - A certified recovery mentor:
 - MCHHS is working to hire, staff, and train individuals for the program.
 - The funding is also being utilized to help pay for a community crisis building that the county recently purchased:
 - The building is located at 1234 Commercial Street in the City of Salem;
 - Some of the funding will be used for renovations; and
 - The county is hoping to open the establishment in early 2024.
- Amendment #8, adds \$10,000 in Intoxicated Driver Program Fund (IDPF) revenue for addiction treatment services:
 - MCHHS receives referrals for individuals needing to go through Driving Under the Influence of Intoxicants (DUII) treatment services.
- Amendment #9, adds \$557,121.80 for mobile crisis services for youth;
 - The state has identified that all the mobile crisis services were for adults and that a system was needed for youth who were experiencing a crisis;
 - MCHHS partnered with the Marion County Juvenile Department to form a response team which consists of the following:
 - A juvenile probation officer; and
 - A qualified mental health professional:
 - The team responds to individuals that have had contact with the juvenile justice system;
 - The team provides Community Crisis Outreach Services for Youth (CCOSY);
 - A program has been established and is being developed;
 - The funding is utilized to train existing mobile crisis response teams on how to respond more appropriately to youth; and
 - Staff has been added to increase response capacity for youth in crisis in the community.
- MCHHS anticipated the funding back in January 2023;
- OHA's goal is to make sure the amendments are reflected in the contract before the ending term date of June 30, 2023; and
- All the allocations will roll over and extend with the contract.

Board discussion:

- Commissioner Bethell expressed that she will be making two motions:
 - One motion for Agenda item # 8; and
 - One motion for both Agenda item #9 and Agenda item #10.

MOTION: Commissioner Bethell moved to approve Amendment #7 to the incoming funds Mental Health Intergovernmental Agreement (IGA) with the Oregon Health Authority to add \$568,755.59 for a new contract total of \$21,100,286.16 for the following Service Codes through June 30, 2023: Decrease funding in the amount of \$415,188 for A&D 82 (Alcohol and Drug), Problem Gambling Residential Services; Increase funding in the amount of \$12,153.94 for MHS 01 (Mental Health Services), System Management and Coordination - Community Mental Health; and increase funding in the amount of \$971,789.65 for MHS 25 (Mental Health Services), Mobile Crisis Intervention Services. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:46:08)

9. Consider approval of Amendment #8 to the incoming funds Mental Health Intergovernmental Agreement (IGA) with the Oregon Health Authority to add funding in the amount of \$10,000 for A&D 65 (Alcohol and Drug), Intoxicated Driver Program Fund (IDPF) for a new contract total of \$21,110,286.16 through June 30, 2023. –Ryan Matthews

Motion: Commissioner Bethell moved to approve Amendment #8 to the incoming funds Mental Health Intergovernmental Agreement (IGA) with the Oregon Health Authority to add funding in the amount of \$10,000 for A&D 65 (Alcohol and Drug), Intoxicated Driver Program Fund (IDPF) for a new contract total of \$21,110,286.16 through June 30, 2023; and

Motion: Commissioner Bethell moved to approve Amendment #9 to the incoming funds Mental Health Intergovernmental Agreement (IGA) with the Oregon Health Authority to add funding in the amount of \$557,121.80 for MHS 25A (Mental Health Services), Stabilization Services for Children and Their Families, for a new contract total of \$21,667,407.96 through June 30, 2023. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

10. Consider approval of Amendment #9 to the incoming funds Mental Health Intergovernmental Agreement (IGA) with the Oregon Health Authority to add funding in the amount of \$557,121.80 for MHS 25A (Mental Health Services), Stabilization Services for Children and Their Families, for a new contract total of \$21,667,407.96 through June 30, 2023.

–Ryan Matthews

(Commissioner Bethell made two consecutive motions, back-to-back for agenda items #9 and #10. Commissioner Cameron seconded. The motions carried. A voice vote was unanimous.)

(Video Time 00:47:07)

PUBLIC WORKS

11. Consider approval Amendment #2 to the incoming funds Lease Agreement with Verizon Wireless to add \$98,400 for a new contract total of \$453,038.40 for the utilization of a cell tower and equipment space on the Marion County Public Works campus through November 30, 2030.

–Dennis Mansfield

Summary of presentation:

- The main campus of Public Works located on Silverton Road in the City of Salem has a cell tower on site;
- Amendment #2 is for five years:
 - There is an option to extend the contract for four terms:
 - Each term is five years.
- The five-year term will bring approximately \$98,400 in incoming funds to the county;
- At each extension period there will be a 15 percent increase; and
- Staff recommended approval of Amendment #2 to the Lease Agreement with Verizon Wireless.

Board discussion:

- None.

Motion: Commissioner Cameron moved to approve Amendment #2 to the incoming funds Lease Agreement with Verizon Wireless to add \$98,400 for a new contract total of \$453,038.40 for the utilization of a cell tower and equipment space on the Marion County Public Works campus through November 30, 2030. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:48:48)

12. Consider approval of the Purchase Order with John Deere Financial in the amount of \$400,000 for parts, supplies, and repair services for the county's heavy equipment fleet through April 14, 2027. –Dennis Mansfield

Summary of presentation:

- The county has approximately 24 pieces of John Deere related equipment that provides some of the following:
 - Roadside mowing; and
 - Grading.
- The Purchase Order is with Pape Machinery:
 - The company is located across the street from the Public Works campus;
 - The county purchases parts from the organization; and
 - The company provides major repairs on some of the county's equipment.
- There is a Sourcewell Cooperative contract that began in April 2023:
 - The contract extends through April 14, 2027.
- The Purchase Order request is for \$400,000 through April 14, 2027; and
- Staff recommended approval of the Purchase Order with John Deere Financial, Pape Machinery.

Board discussion:

- None.

Motion: Commissioner Bethell moved to approve the Purchase Order with John Deere Financial in the amount of \$400,000 for parts, supplies, and repair services for the county's heavy equipment fleet through April 14, 2027. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:50:05)

13. Consider approval of the Architectural and Engineering Standard Professional Services Agreement with HDR Engineering in the amount of \$614,110.14 of which an estimated \$551,041.03 will be provided in federal funds and an estimated \$63,069.11 will be provided by the county for the State Street: 4106 State Street to 46th Avenue improvements project through October 30, 2025. –Ryan Crowther

Summary of presentation:

- The project is located on State Street just east of Lancaster Drive in the City of Salem:
 - The project extends down to 46th Avenue.
- The roadway's existing conditions include the following:
 - Two traffic lanes;
 - Limited sidewalks; and
 - Bike lanes with limited facilities.

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- The project scope entails some of the following:
 - Construct missing sections of sidewalk only on the south side of the roadway:
 - This is an interim solution until funding can be obtained to build out the full cross section.
 - Widen State Street to the south as required to allow for a six-foot bike lane;
 - Construct a continuous 12-foot center turn lane;
 - Replace non-compliant Americans with Disabilities Act (ADA) ramps;
 - Install two enhanced pedestrian crossings:
 - This will include rectangular rapid flashing beacons; and
 - Potentially a center refuge:
 - It is unknown what the crossings will look like or where they will be placed; but
 - Staff will be working with a design team to ensure that the crossings are in the correct location.
 - Construct stormwater improvements as needed:
 - This is a federally funded project:
 - This may entail improvements to some of the following:
 - Stormwater conveyance;
 - Stormwater treatment; and
 - Stormwater detention.
- The contract's not to exceed amount for the project is \$614,110.14;
- County staff will provide the simple design but will require support assistance for some of the following:
 - Surveying;
 - Environmental permitting and design;
 - Geotechnical engineering;
 - Right-of-Way appraisals, appraisal reviews, and negotiation assistance:
 - There may be multiple right-of-way files that need to be acquired for the project.
 - Construction services to assist with the actual construction.
- The preliminary schedule entails the following:
 - The design process will occur between 2022 and 2025;
 - The right-of-way acquisition process will start in 2024; and
 - Construction is anticipated in 2027:
 - Salem-Keizer Area Transportation Study (SKATS) funding for the project will not be available until 2027.

Board discussion:

- The funding was awarded to the county before a large development was planned for the area:
 - This is a project that has been needed on State Street for some time; and
 - A similar project is being performed on Center Street in the City of Salem.

- The county will not be acquiring private land:
 - The right-of-way is very specific in where it is located;
 - Historically the surveys have defined exactly where the right-of-way line is;
 - If the county goes outside the right-of-way line, then the county will acquire the right-of-way as an easement;
 - Any temporary constructions easements that may be needed will be purchased with fair market values; and
 - The contract allows for a consultant to assist the county with a right-of-way acquisition phase.
- Sidewalks will be on the south side the road but not on the north side;
- The ultimate section per the Transportation System Plan (TSP) is five lanes which entails the following:
 - Two lanes in either direction;
 - A set, continuous center turn lane:
 - This includes a significant amount of right-of-way acquisition.
 - The improvement will sustain what is needed for multiple years into the future:
 - Staff anticipates that it will be at least 20 years before the capacity needs impact the full section.
 - The project allows people to get through and also improves the corridor; but
 - It leaves it open so that the county is not building a sidewalk that may potentially need to be torn out before the completion of the final cross section.
- This is an exchange program through the Oregon Department of Transportation (ODOT) so the National Infrastructure Project Assistant Program (NIPA) must be done:
 - The project is required to utilize federal funding:
 - More environmental permitting is needed; and
 - The right-of-way process is more cumbersome.
 - Federal funding works well for large projects because there is less of an impact on small projects.
- This contract is just the engineering phase of the project; and
- The project is currently scheduled to start construction in 2027.

Motion: Commissioner Cameron moved to approve the Architectural and Engineering Standard Professional Services Agreement with HDR Engineering in the amount of \$614,110.14 of which an estimated \$551,041.03 will be provided in federal funds and an estimated \$63,069.11 will be provided by the county for the State Street: 4106 State Street to 46th Avenue improvements project through October 30, 2025. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 00:57:36)

14. Consider approval of a resolution declaring an emergency for Abiqua Road N.E. due to landslide and subgrade failure. –Ryan Crowther

Summary of presentation:

- The landslide and subgrade failure issue is located east of the City of Silverton on Abiqua Road:
 - There are approximately 30 residents residing near the end of the roadway; and
 - This is the only route in and out for the 30 residents.
- There was a previous land slide in the area which occurred below the roadway that negatively impacted the roadways asphalt:
 - County staff was able repair the prior slide area;
 - Staff was working towards performing a full project to mitigate a landslide; but
 - A second land slide area opened up during the winter months:
 - The opening is actually within the roadway causing more of an impact; and
 - Staff had to close off one lane of the road.
- In February and March staff found cracking in the asphalt and identified the cracking as an issue;
- The county had a geotechnical engineer contracted for the first slide area whom the county contacted to assess the second slide area;
- In April and May the county had to close a lane to traffic flow;
- County staff has not been able to complete a temporary road repair;
- The geotechnical engineer has advised staff to keep traffic off the affected lane;
- Staff has implemented the following:
 - A temporary traffic control; and
 - A signage plan to keep people traveling on one side of the roadway:
 - The lane closure has benefitted from a lower traffic volume in the area; and
 - This has allowed the county to keep one lane open to traffic.
- The slide mitigation includes some of the following:
 - Clearing and grubbing;
 - Excavating;
 - Removing slide debris;
 - Constructing approximately a 240-foot-long rock buttress to stabilize the slide area; and
 - Rebuilding the road base.
- Staff is finalizing the geotechnical report;
- Staff anticipates hiring a contractor to begin construction immediately during the 2023 summer months:
 - The project needs to be completed before the fall rains to prevent further road movement; and

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- A dry environment is needed for rock placement on the embankment.

Board discussion:

- Tree removal will be required prior to the rock placement on the embankment;
- Due to the emergency request, Commissioner Cameron inquired to determine if the resolution needed to be read twice; and
- Ms. Vetto clarified the following:
 - The county's procurement rules do not require the resolution to be read twice;
 - The purpose of the resolution is so staff can get contracts on board during the 2023 summer months;
 - To circumvent the normal process of bidding, the board must declare an emergency for this particular location;
 - This allows for contract bidding under emergency circumstances;
 - The county's procurement rules require a contract to be signed within 60 days;
 - There is no dollar limit;
 - The county has to ensure competition that is reasonable and appropriate under the emergency circumstances;
 - If the board finds the situation to be an emergency, then the contractors can be brought on board under the county's contracting rule;
 - The title of the resolution does not need to be read twice; and
 - The board is only required to adopt the resolution.

Motion: Commissioner Bethell moved to approve a resolution declaring an emergency for Abiqua Road N.E. due to landslide and subgrade failure. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 01:03:42)

15. Consider approval of a resolution declaring an emergency for Nusom Road N.E. due to scour, erosion, and potential failure. –Ryan Crowther

Summary of presentation:

- Nusom Road has significant roadway issues that require immediate attention;
- There is a scour issue by the roadway that is just west of the City of Silverton and near the Abiqua Creek:
 - Staff has been monitoring the area for several years;
 - The scour site in 2021 showed some distance between the roadway and the creek;
 - Review of the area in December 2022 showed a significant amount of bank loss:
 - It is estimated that 15 feet of the bank had been lost.
 - Review of the area in March 2023 showed the bank had almost reached the gravel shoulder that is next to the roadway:
 - The bank is now approximately nine feet from the road's white fog line.

- Staff is concerned with the potential impacts to the roadway during the upcoming winter months if the issue is not addressed immediately during the summer months;
- Staff would like to utilize emergency procurement rules to address the issue immediately;
- The project will be located in the water and will require special permitting;
- The county had a consultant to assist with the project earlier in the 2023 year;
- The county is working with some of the following entities to acquire the permits required to perform work in the waterway:
 - The Oregon Department of State Lands;
 - The United States Army Corp of Engineers; and
 - The Oregon Department of Environmental Quality:
 - Staff anticipates the required permitting will be ready in the early 2023 summer months; and
 - It is anticipated that the permits will require the county to utilize logs that are similar to what is used for fish habitat.
- The project scope entails some of the following:
 - Erosion control;
 - Construct a large stone revetment utilizing heavy, large riprap that will not move in the water currents;
 - The county will be tying into a neighboring property's revetment that is outside of the right-of-way; and
 - Any miscellaneous work that is required to complete the project.
- Staff would like to start construction in the summer of 2023 so that the project is completed, and the issue resolved before the fall rains arrive.

Board discussion:

- Riprap is a mixture of large boulders and small boulders;
- A hydraulic designer reviews areas to determine which rock will best protect the bank; and
- Staff is hoping to utilize trees that were damaged in the 2020 wildfires:
 - Trees that still have root wads and are intact are ideal for the project;
 - The trees can only be used if permitting allows for this option; and
 - Full trees are ideal because fish prefer the root wads.

Motion: Commissioner Cameron moved to approve a resolution declaring an emergency for Nusom Road N.E. due to scour, erosion, and potential failure. Seconded by Commissioner Bethell; motion carried. A voice vote was unanimous.

(Video Time 01:08:09)

- Marion County Sheriff Joe Kast is retiring;
- A new sheriff will be appointed on June 30, 2023;
- The interviews for the next Marion County Sheriff were televised live for the public to watch;
- The public learned a lot about the sheriff's job from the questions that were asked by the board;
- The county has received public feedback regarding the Marion County Sheriff appointment;
- The commissioners expressed their gratitude to Sheriff Kast for his years of service to Marion County; and
- The county is in a good place because of Sheriff Kast's leadership.

(Video Time 01:18:19)

- Today is Flag Day in the United States; and
- Commissioner Cameron requested and received unanimous consent to recite the Pledge of Allegiance of the United States again before closing the Board Session meeting.

PUBLIC HEARINGS
9:30 A.M.

None.

Commissioner Willis adjourned the meeting at 10:19 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

Board Sessions can be viewed on-line at

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

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