

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, July 1, 2020

9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Sam Brentano and Commissioner Kevin Cameron. Also present were Jan Fritz, chief administrative officer, Jane Vetto as county counsel, and Brenda Koenig as recorder.

ABSENT: Commissioner Colm Willis

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

PUBLIC COMMENT

None.

PRESENTATION

(Video Time 00:00:52)

COVID-19 (Novel Coronavirus) update. –Katrina Rothenberger

- Ms. Rothenberger reported the following updates for the COVID-19 pandemic as of Tuesday, June 30, 2020:
 - There are an estimated 1,514 total cases;
 - An estimated 1,435 individuals have tested positive; and
 - An estimated 46 individuals have died from symptoms related to COVID-19:
 - Individuals in long term care facilities account for the highest percentage of deaths.
- Governor Brown’s statewide mask order has gone into effect:
 - Individuals statewide are required to wear the following in public areas or businesses:
 - Masks;
 - Face coverings; or
 - Face shields.
 - The mandate includes the following individuals:
 - Employees;
 - Vendors;
 - Contractors; and
 - Members of the public.
- Marion County Health and Human Services (MCHHS) continues to encourage community members to practice the following in public settings in order to slow the spread of COVID-19 :

- Maintaining social distancing;
- Wearing face masks; and
- Frequent hand washing.
- Testing supply availability has increased;
- Revised Oregon Health Authority (OHA) guidelines allow for the testing of asymptomatic individuals;
- MCHHS has started tracking weekly testing rates:
 - Testing thresholds continue to be met.
- MCHHS encourages engaging in the following for the Fourth of July holiday:
 - Lower risk activities:
 - Outdoor activities away from crowds.
 - Local gatherings:
 - Celebrate at home with family members or roommates.
 - Small gatherings:
 - Encourage guests that may be sick to stay home;
 - Have hand sanitizer readily available for visitors;
 - Don't share beverages;
 - Use utensils for food service;
 - Maintain six feet social distancing standards; and
 - Wear face masks or face shields.
- Ms. Rothenberger advocated for celebrating with legal fireworks; and
- She asked that community members stay vigilant and safe.

Board discussion:

- MCHHS is partnering with the University of Oregon (UO) to conduct a saliva testing project for COVID-19:
 - The project goal is to reduce testing supply expenses:
 - Currently the cost of nasopharyngeal swab materials are estimated to be \$25 per test:
 - The materials require the use of reagents; and
 - Supply chains for the reagents are low.
 - The cost of saliva testing is estimated to be \$1 per test:
 - No reagents are required; and
 - It is less invasive.
 - The testing project requires the following:
 - Thirty positive tests; and
 - Thirty negative tests:
 - An estimated 300 saliva tests are needed to achieve the testing count goals.
 - If the project is successful then the UO lab will be able to process 5,000 saliva tests per day.
- The state is seeing an increase in the percent of emergency department visits and hospitalizations:
 - The percent of positive tests is increasing;
 - There is no vaccine for COVID-19;
 - Increased testing has resulted in more individuals testing positive; and

- Individuals need to remain vigilant and practice social distancing to help limit the spread of COVID-19.
- The summer season has not slowed the spread of COVID-19;
- The county's hospitalization rate has decreased and remained stable;
- A larger percentage of individuals age 45 or younger are testing positive for COVID-19:
 - Younger individuals have the highest positive test case counts; but
 - Individuals aged 50 or older have the highest rate of hospitalizations or deaths.
- Commissioner Brentano expressed his concerns for college fraternities, sororities, and dormitories and the challenges they face to practice social distancing;
- Commissioner Cameron stated several community firework displays have been canceled;
- Commissioner Cameron encouraged community members to remain in the safety of their homes for the Fourth of July holiday; and
- He encouraged individuals to enjoy the holiday and celebrate the country's independence.

CONSENT

(Video Time 00:16:56)

BUSINESS SERVICES

Approve Amendment #2 to the Contract for Services with Hydro Temp Mechanical, Inc. to add \$70,088 for a new contract total of \$339,788 for replacement of the Marion County Jail water tanks as part of the Jail Replacement Boiler Project and extend the completion date to July 31, 2020.

CLERK'S OFFICE

Approve Amendment #7 to the Contract for Services with Avenu Insights and Analytics, LLC to add \$443,520 for a new contract total of \$1,851,853 and extend through June 30, 2022, for licensing and recording.

SHERIFF'S OFFICE

Approve Amendment #2 to the Design Build Agreement with Communications Northwest to accept the design and commence the work for the Marion County Jail Radio Project through May 31, 2021, for the original contract amount of \$208,495.49.

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

ACTION

(Video Time 00:18:17)

COMMUNITY SERVICES

1. Consider approval of an order to add an owner surrender fee and remove an animal rescue entities fee for Marion County Dog Services (MCDS) effective July 1, 2020. –Tamra Goettsch

Summary of presentation:

- Historically MCDS has not accepted owner surrender dogs:

- Over the course of time exceptions have been made for certain conditions and situations:
 - A dog may have demonstrated aggressive or dangerous behavior towards the following:
 - Family members;
 - Livestock; or
 - Community members.
 - Currently there is no authorized fee schedule for this service; and
 - As a result MCDS has not been able to charge individuals for the service.
- Dogs surrendered to MCDS are generally for euthanasia services:
 - Approval of the order will add an owner surrender fee to the MCDS fee schedule which includes the following proposal:
 - Owners with licensed dogs will be charged an estimated \$65 fee:
 - Oregon law requires all dogs to be licensed.
 - Owners with unlicensed dogs will be charged and estimated \$100 fee:
 - The increased fee will include the licensing fee.
- In 2019, Oregon Legislature passed a Senate Bill that removes animal rescue entity responsibilities from counties:
 - The services have been contracted out to the Oregon Department of Agriculture:
 - The state veterinarian is now responsible for the service; and
 - Approval of the order will remove the animal rescue entity registration fee from the MCDS fee schedule.
- The changes to the MCDS fee schedule will go into effect immediately.

Board discussion:

- Currently MCDS charges \$75 a year for registration services;
- It is estimated that the state will charge \$585 a year for registration services;
- Issues that have arisen with the state's fee implementation include animal rescue entities that have already paid for registration with MCDS for a period of three years:
 - The county is working with the state to keep the animal rescues already licensed with MCDS under the county's authority until the registration expires.
- The Oregon statute has already changed and gone into effect.

MOTION: Commissioner Cameron moved to approve an order to add an owner surrender fee and remove an animal rescue entities fee for Marion County Dog Services effective July 1, 2020. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:25:26)

2. Consider approval of an ordinance repealing section code revisions relating to animal rescue entities, updating Marion County Code Chapter 6.05, and declaring an emergency.

–Tamra Goettsch

Summary of presentation:

- The ordinance repeals sections of the language in the current code that are related to animal rescue entities:
 - Language related to the following was removed:

- Administration of files;
- Auditing services; and
- Registration.
- Previous language stated that counties were the enforcing agencies:
 - The revised language affirms the state veterinarian is now the enforcing agency.

Board discussion:

- The commissioners expressed their concerns with the increased fee being charged by the state; and
- It is their hope that the Oregon legislature will address the fee expense.

MOTION: Commissioner Cameron moved to read the ordinance by title only twice. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous

Commissioner Brentano read the ordinance by title only twice.

MOTION: Commissioner Cameron moved to approve an ordinance repealing section code revisions relating to animal rescue entities, updating Marion County Code Chapter 6.05, and declaring an emergency. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:29:01)

PUBLIC WORKS

3. Consider approval of an Intergovernmental Agreement (IGA) with the Oregon Military Department, Office of Emergency Management (OEM), for the reimbursement of county funds for expenses related to the COVID-19 pandemic through June 30, 2027. –Brian Nicholas and Kathleen Silva

Summary of presentation:

- Marion County is currently receiving COVID-19 assistance through the Coronavirus Aid, Relief, and Economic Security (CARES) Act; and
- The county has received no public assistance for any projects submitted to the OEM:
 - Entering into an IGA with OEM provides the county with the opportunity to receive public assistance grant funding that may available; and
 - Secures future funding if needed.

Board discussion:

- Grant funding for federal disasters is available to entities through the Federal Emergency Management Agency (FEMA):
 - The funding would be funneled through the OEM for emergency projects that are approved by FEMA;
 - The IGA provides the county with a 75 percent reimbursement for expenses related to the pandemic; and
 - The county will be responsible for a 25 percent match which may include:
 - Expenditures for the following:

- Personnel;
- Supplies; and
- Equipment.
- Volunteer hours; and
- CARES Act funding.

MOTION: Commissioner Cameron moved to approve an Intergovernmental Agreement with the Oregon Military Department, Office of Emergency Management, for the reimbursement of county funds for expenses related to the COVID-19 pandemic through June 30, 2027. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:33:27)

4. Consider approval of a Public Improvement Agreement with Albina Holdings, dba. Albina Asphalt, in the amount of \$3,600,000 for the furnishing and application of emulsified asphalt on various roads within Marion County as part of the Chip Sealing Program through June 30, 2023.
–Scott Wilson

Summary of presentation:

- An invitation to bid was advertised in the following on April 23, 2020:
 - The Oregon Procurement Information Network (ORPIN); and
 - The Daily Journal of Commerce.
- One bid for the project was received on May 12, 2020;
- The bid was approved on May 15, 2020, and awarded to Albina Asphalt;
- An estimated \$1,200,000 was budgeted for the project for fiscal year 2020-21;
- Public Works anticipates the same amount of funds will be budgeted for the following fiscal years:
 - 2021-22; and
 - 2022-23.
- The contract will provide for the continuation of the county’s Chip Seal Program:
 - The program targets an estimated 60 to 70 miles of roadway annually; and
 - Provides a cost effective treatment that extends the life of pavements and public roads.

Board discussion:

- Cities generally partner with the county for slurry seal:
 - It provides a finer finish than chip seal; and
 - Slurry seal is more appropriate for residential streets.
- The county outsources for chip seal services;
- Albina Asphalt will provide some of the following:
 - Emulsified asphalt; and
 - A distribution truck:
 - This frees up the county’s truck for other jobs; and
 - Relieves the county of truck maintenance expenses.
- Roads needing repaired are selected by geographical area to save on transport costs;
- Pavement repairs will be performed prior to applying chip seal; and
- The chip seal will be applied directly over the repairs.

MOTION: Commissioner Cameron moved to approve a Public Improvement Agreement with Albina Holdings, dba. Albina Asphalt, in the amount of \$3,600,000 for the furnishing and application of emulsified asphalt on various roads within Marin County as part of the Chip Sealing Program through June 30, 2023. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:40:04)

5. Consider approval of a Purchase Order Contract with Ennis Paint, Inc. in the amount of \$2,115,000 for the purchase of white and yellow paint required to stripe roads in Marion County through April 24, 2023. –Scott Wilson

Summary of presentation:

- The contract with Ennis Paint, Inc. is for the purchase of traffic marking paint that is utilized in road striping activities:
 - The county has used the cooperative City of Portland contract with Ennis Paint, Inc. since Fiscal Year 2019-20;
 - During the inception of the contract the county experienced lower pricing and a significant savings in road striping paint;
 - The contractor's business agreements with other entities has monopolized the road striping paint market;
 - The contractor has increased their product prices; but
 - The county was able to utilize the same pricing that was used in Fiscal Year 2019-20.
- The estimated budget for Fiscal Year 2020-21 is \$705,000;
- The contract total is \$2,115,000 for a three year period; and
- The paint will be used to stripe the following:
 - Marion County roads; and
 - Roads for other agencies that request striping services.

Board discussion:

- The contract supplies the county with 140,000 gallons of road striping paint;
- The paint arrives in large totes where the product is then transferred into spray guns located on heavy equipment; and
- Ennis Paint, Inc. is a local company based out of Salem, Oregon.

MOTION: Commissioner Cameron moved to approve a Purchase Order Contract with Ennis Paint, Inc. in the amount of \$2,115,000 for the purchase of white and yellow paint required to stripe roads in Marion County through April 24, 2023. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous

(Video Time 00:44:26)

6. Consider approval of a Purchase Order Contract with Potters Industries, LLC in the amount of \$525,000 for the purchase of reflective marking spheres for use in roadway striping through July 11, 2023. –Scott Wilson

Summary of presentation:

- Public works maintains the roadway lines on multiple roads throughout the county:
 - Annual roadway striping requires reflective highway safety marking spheres for the driving public.
- The product will be purchased using a State of Oregon Price Agreement for the following fiscal years:
 - 2020-21;
 - 2021-22; and
 - 2022-23.
- The Purchase Order is estimated at \$525,000; and
- The beads will be used in the road striping process for the following:
 - Marion County roads; and
 - Roads for other agencies that request striping services.

Board discussion:

- The product consists of tiny glass beads that will be applied to the paint after it has been striped onto the roadway:
 - The reflective beads will assist with night time visibility.

MOTION: Commissioner Cameron moved to approve a Purchase Order Contract with Potters Industries, LLC in the amount of \$525,000 for the purchase of reflective marking spheres for use in roadway striping through July 11, 2023. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous

(Video Time 00:46:40)

7. Consider approval of a Purchase Order Contract with Les Schwab Company in the amount of \$300,000 for the purchase of tires and related services for all county fleet vehicles through January 5, 2022. –Brian Nicholas

Summary of presentation:

- The county has two contracts with separate businesses that provide tires and related services for fleet vehicles:
 - Provides pricing options; and
 - Resolves product stocking issues for vehicles that may require urgent service.
- The county has maintained a contract with Les Schwab Company for several years;
- The contract uses a State Price Agreement that was competitively bid by the Oregon Department of Administrative Services;
- It is estimated the \$300,000 budget will provide tires and related services through January 5, 2022, for the following:
 - Light duty fleet vehicles; and
 - Heavy equipment.

Board discussion:

- Commissioner Brentano stated his personal experience with Les Schwab Company has been wonderful:
 - They are reliable; and
 - They provide outstanding service.
- Mr. Nicholas stated the county has received the same level of service.

MOTION: Commissioner Cameron moved to approve a Purchase Order Contract with Les Schwab Company in the amount of \$300,000 for the purchase of tires and related services for all county fleet vehicles through January 5, 2022. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

PUBLIC HEARINGS

9:30 A.M.

None.

Commissioner Brentano read the calendar.

Commissioner Brentano adjourned the meeting at 10:02 a.m.

Not Present At Meeting

CHAIR



COMMISSIONER



COMMISSIONER

Board Sessions can be viewed on-line at

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