

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, August 21, 2019

9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

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

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

PUBLIC COMMENT

CONSENT

(Video Time 00:00:56)

BUSINESS SERVICES

Approve an order appointing Lori O'Mara as a voting management representative to the Marion County Health Insurance Study Committee effective August 21, 2019.

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

ACTION

(Video Time 00:01:30)

BOARD OF COMMISSIONERS

1. Consider approval of a Memorandum of Agreement relating to the creation of a development council to form a Continuum of Care collaborative governance structure for the Marion and Polk county region. –Lisa Trauernicht and Sean O'Day, Mid-Willamette Valley Council of Governments Executive director

Summary of presentation:

- The memorandum is for Marion County to participate in the creation of a development council to form a Continuum of Care collaborative governance structure for the Marion and Polk county regions;
- The council of governments provides services to counties similar to what a chamber of commerce provides for local small businesses;

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- One initiative that is being worked on is what was known as the Homeless Initiative:
 - Partnership by Cities of Salem, Keizer, Monmouth, Independence, and Marion County;
 - Hired coordinator to look at five different issues;
 - All projects have been completed;
 - Fifth project looked into whether as a region they should reconstitute the Continuum of Care:
 - Recommendation was to move forward.
 - Outreach efforts resulted in the majority of jurisdictions in the region adopting resolutions in support of reconstitution;
 - The next step is to form a development council that will work on the governance structure for the region and complete the federal application;
 - The document is a Memorandum of Agreement rather than an Intergovernmental Agreement because it also includes key non-profit organizations:
 - Mid-Willamette Valley Community Action Agency;
 - Union Gospel Mission;
 - United Way; and
 - Salem-Keizer School District.
- Approval of the memorandum is the county's agreement to move forward and continue to provide funding as in the past.

Board discussion:

- The commissioners thanked Mr. O'Day, Ms. Trauernicht, and the group for their work on this effort.

MOTION: Commissioner Brentano moved to approve the Memorandum of Agreement relating to the creation of a development council to form a Continuum of Care collaborative governance structure for the Marion and Polk county region. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:008:58)

2. Consider approval of Marion County's 2019-21 Justice Reinvestment Initiative Grant and Supplemental Grant Program applications. –Undersheriff Jeff Wood

Summary of presentation:

- The initiative first came about in 2012;
- House Bill 3194 was approved in 2013:
 - Provided money to counties to implement programs with the following goals:
 - Reduce recidivism;
 - Implement evidence based programs;
 - Hold clients accountable for their actions; and
 - Reduce historical prison utilization within the Department of Corrections.
- Marion County was awarded \$3.7 million for the regular grant application:

- An allocated share is given to counties based on the community corrections formula:
 - Marion County receives 9.1 percent.
- \$951,000 was received in supplemental grant applications:
 - Supplemental grants are competitive:
 - Focuses efforts on decreasing prison utilization and increasing the downward trend on recidivism.
- The grant requires that 10 percent of all funding goes to victim services:
 - Funding is given to Liberty House and the Center for Hope and Safety for these services.
- Funding provides an array of services for programs including:
 - The Student Opportunity for Achieving Results (SOAR) program; and
 - Addiction treatment programs for both mental health and substance abuse:
 - There is concurrent treatment for both issues.
- Results of the initiative include:
 - A decrease in recidivism in the last 10 years;
 - A 46 percent prison utilization decrease;
 - No rise in the crime rate in the county; and
 - Individuals have been able to break intergenerational criminality:
 - Families have been united; and
 - Parents have become role models for their children.
- Letters of support are a requirement of the supplemental application:
 - They have been provided by:
 - The presiding judge;
 - The Marion County Board of Commissioners;
 - Marion County Sheriff; and
 - Marion County Undersheriff.

Board discussion:

- There are five pre-trial and sentence beds at the jail transition center for this population;
- Senate Bill 416 program provides funding for:
 - Supervision;
 - Prosecution;
 - Detention beds; and
 - Post-sentence transition from custody to community.
- There is a concern regarding the overpopulation at the jail, as well as slow response times to rural areas, in conjunction with the report that crime rates have decreased:
 - Statistics come from the Uniform Crime Report.
- There are reductions in program allocations for programs that have shown success:
 - Funding is based on the community corrections allocation:
 - Allocation has decreased from 11 percent to 9 percent.
 - Overall there has been an increase to funding.
- Eighty-five percent of the jail population is comprised of individuals awaiting trial;
- There are many families with multigenerational offenders;

- There are many programs, in addition to the ones through the Justice Reinvestment Initiative, that help reduce recidivism and prison population:
 - The Law Enforcement Assisted Diversion (LEAD) Team; and
 - The Crisis Outreach Response Team (CORT).

MOTION: Commissioner Willis moved to approve Marion County’s 2019-21 Justice Reinvestment Initiative Grant and Supplemental Grant Program applications. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:25:50)

HEALTH AND HUMAN SERVICES

3. Consider approval of the Provider Services Agreement with PacificSource Community Solutions to serve as Marion and Polk County regions’ Coordinated Care Organization (CCO). – Ryan Matthews

Summary of presentation:

- On July 9, 2019, The Oregon Health Authority awarded PacificSource the CCO contract, effective January 1, 2020, for the Marion and Polk County regions;
- There were a series of requirements needed to get ready for the new year:
 - Memorandum of Understanding between the county and PacificSource:
 - Approved on July 31, 2019;
 - MOU describes roles of each entity:
 - PacificSource’s role is the manager of the Medicaid population;
 - The county’s role is as the local mental health authority and local public health authority; and
 - Both entities are working towards a provider agreement.
- The Oregon Health Authority set forth a very aggressive timeline;
- Mr. Matthews thanked everyone who worked on this agreement:
 - The board’s office;
 - Legal Counsel; and
 - Health and Human Services staff.
- He also acknowledged PacificSource for their collaborative spirit and willingness to negotiate with the county:
 - They respect the county’s role in the system; and
 - They are working together to ensure the health needs of the community are met.

Board discussion:

- The commissioners thanked everyone for their hard work;
 - This has been an eight month process.
- They were impressed with how PacificSource is working with the community and open to answering questions; and
- Hood River CCO is a successful model to follow:
 - PacificSource was the administrator.

MOTION: Commissioner Willis moved to approve the Provider Services Agreement with PacificSource Community Solutions to serve as Marion and Polk County regions' Coordinated Care Organization (CCO), with an amendment to Section 2.0 PROVIDER RESPONSIBILITIES, Subsection 2.1(a). Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:33:52)

4. Consider approval of the Contract for Services with Salem Health in the amount of \$850,000 to provide acute care inpatient psychiatric services from July 1, 2019 through December 31, 2020. –Ann-Marie Bandfield and Cydney Nestor

Summary of presentation:

- The contract is a continuation of services with Salem Hospital; and
- Serves the indigent population that is in need of acute psychiatric services that cannot be safely served in the community.

Board discussion:

- The commissioners inquired if there were any changes to the funding, and if the amount requested is adequate:
 - The county used to be a part of an acute care region that monitored all indigent services;
 - The region separated approximately three years ago;
 - The county directly receives funding to provide services;
 - The hospital charges a daily rate:
 - Covers all psychiatric services including:
 - Medication;
 - Doctors;
 - Nurses;
 - Therapy treatments; and
 - Coordination of care to outpatient services.
- The amount requested is adequate to cover the needs of the citizens of the county; and
- The daily rate is \$1,200 per day, per bed:
 - The average number of days per person is 11 days; and
 - The unit has 26 beds.

MOTION: Commissioner Brentano moved to approve the Contract for Services with Salem Health in the amount of \$850,000 to provide acute care inpatient psychiatric services from July 1, 2019 through December 31, 2020. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:38:55)

PUBLIC WORKS

5. Receive and consider appeal of hearings officer's decision denying Conditional Use/Variance (CU/V) Case #19-010/Maddux. –Joe Fennimore

Summary of presentation:

- The applicant is requesting to convert an existing pool house into a temporary dwelling for medical hardship purposes on a 19-acre parcel, in an Exclusive Farm Use (EFU) zone, in Turner;
- The pool house was designed and constructed to provide changing rooms, bathrooms, a gathering room, and a pool mechanical room;
- After construction, modifications were made, without permits, to convert the house into a dwelling;
- The applicant is requesting to use the building as a temporary residence for hardship purposes;
- The hearings officer held a public hearing on April 10, 2019, which was continued to April 24, 2019;
- On August 1, 2019, a decision was issued denying the request;
- The applicants appealed the decision to the board on August 7, 2019;
- In the denial, the hearings officer found:
 - The applicant failed to prove that a satisfactory on-site waste disposal system was available;
 - That there may be insufficient time to deactivate the hardship permit:
 - A hardship permit must be deactivated 90 days after it is no longer needed;
 - Applicant stated at hearing that the intent was to make the pool house a permanent residence; and
 - The property is currently for sale.
 - The applicant failed to adequately address all of the variance criteria.
- The applicant, in the appeal, explained:
 - The building is currently being occupied without causing septic problems;
 - The property is no longer for sale and it is their intent to live on the property as long as possible;
 - The building will be decommissioned once the hardship no longer exists; and
 - The applicant also provided detailed information explaining the need for the hardship.
- Options for the board to consider:
 - Accept the appeal;
 - Remand the matter back to the hearings officer;
 - Accept the appeal and schedule a public hearing; or
 - Deny the appeal and uphold the hearings officer's decision denying the request.
- Staff recommends that the board accept the appeal and schedule a public hearing with a suggested hearing date of September 18, 2019; and
- The applicant has agreed to extend the 150-day deadline if the appeal is accepted.

Board discussion:

- If the application is approved, there can be conditions of approval addressing code issues and requirements:
 - If the application is not approved, the case will go back to code enforcement.
- An option for the board is to remand the case back to the hearings officer to consider new information;
- Septic issues will need to be addressed;
- In some rural areas, septic permits are based on bedrooms, not bathrooms; and
- Staff recommends that board accept the appeal and schedule a public hearing for September 18, 2019.

MOTION: Commissioner Willis moved to accept the appeal of the hearings officer's decision denying Conditional Use/Variance (CU/V) Case #19-010/Maddux, and schedule a public hearing for September 18, 2019. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 00:46:10)

6. Consider approval of the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation in the amount of \$2,558,022.84 for improvements to the River Road South Bridge over the Willamette River. –Ryan Crowther and Steven Preszler

Summary of presentation:

- The project is located at a bridge that crosses the Willamette River:
 - The bridge connects Marion and Polk Counties;
 - It is east of Independence;
 - The bridge begins at the intersection of S. Main Street in Polk County and extends 2,290 feet east into Marion County.
- The project scope is to provide:
 - Scour repairs at piers;
 - Concrete repairs; and
 - Install approach guardrails.
- Work will be prioritized according to funding:
 - The bridge is scour critical:
 - Rated at scour code 3:
 - When there is a big flow there is potential to get scour below the footing that can cause the bridge to become unstable.
 - Concrete repairs at barrier impacts; and
 - Guardrail upgrades approaching the bridge.
- A federal grant was received for the project:
 - The Oregon Department of Transportation has allowed the county to exchange the federal dollars for state dollars;
 - The state share will cover 89.73 percent;
 - The county's share is 10.27 percent; and
 - The total cost of the project is \$2,850,800.

- Design for the project will begin in 2019:
 - Final design will be completed in 2021; and
 - Construction will begin in 2022.

Board discussion:

- There is an agreement with Polk County that Marion County will be responsible for the bridge;
- The repairs to the bridge are an ongoing project:
 - The county is not able to address all repairs at one time.
- Work being done on the bridge will be isolated from the waterway and signs will be in place to notify boaters.

MOTION: Commissioner Brentano moved to approve the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation in the amount of \$2,558,022.84 for improvements to the River Road South Bridge over the Willamette River. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

(Video Time 00:54:05)

7. Consider approval of the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation in the amount of \$1,706,884.06 for improvements to the Meridian Road Bridge over Abiqua Creek. –Ryan Crowther and Steven Preszler

Summary of presentation:

- The project is located just north of Silverton on Meridian Road NE;
- It is approximately one mile north of Hobart Road NE;
- The scope of the project includes:
 - Scour repairs at abutments and piers; and
 - Widening Meridian Road to install a new approach guardrail.
- The repairs to the bridge will address concerns raised during the 2012 flood;
- A federal grant was received for the project:
 - The Oregon Department of Transportation has allowed the county to exchange the federal dollars for state dollars;
 - The state share will cover 89.73 percent;
 - The county’s share is 10.27 percent; and
 - The total cost of the project is \$1,902,200.
- Design for the project will begin in 2019:
 - Final design will be completed in 2020; and
 - Construction will begin in 2021.

Board discussion:

- By fund exchanging, the county is able to follow county processes and procedures instead of federal regulations, which adds more work to the administrative staff and requires more documentation during inspections.

MOTION: Commissioner Willis moved to approve the incoming funds Intergovernmental Agreement with the Oregon Department of Transportation in the amount of \$1,706,884.06 for improvements to the Meridian Road Bridge over Abiqua Creek. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

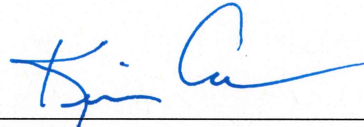
PUBLIC HEARINGS

9:30 A.M.

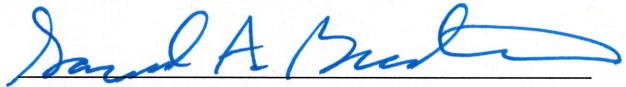
None.

Commissioner Willis read the calendar.

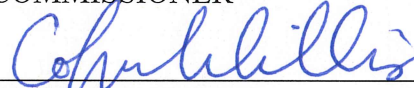
Commissioner Cameron adjourned the meeting at 10:09 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

Board Sessions can be viewed on-line at

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