



MARION COUNTY BOARD OF COMMISSIONERS

Management Update Minutes

Monday, April 5, 2021, 9:00 a.m.

Courthouse Square, 555 Court St. NE, Salem
5th Floor, Suite 5231, Commissioners Boardroom

ATTENDANCE:

Commissioners Kevin Cameron and Danielle Bethell, Laurie Steele, Jan Fritz, Jane Vetto, Tamra Goettsch, Brian Nicholas, Brian May, Camber Schlag, James Wharton-Hess, Barb Young, Lisa Trauernicht, Matt Lawyer, Jessica Stanton, Chad Ball, Jolene Kelley, and Kristy Witherell as recorder.

Jan Fritz called the meeting to order at 9:00 a.m.

INFORMATIONAL:

Solid Waste Contracts Update

- Brian May

Summary of presentation:

- As the county has progressed with the Covanta contract that will be ending in June, there are a couple other contracts that coincide with it;
- Marion Environmental Services Contract:
 - Franchise hauler that collects medical waste within Marion County; and
 - Updates contract to extend the term, so they will still be able to bring material to Covanta.
- Pacific Sanitation:
 - Franchise hauler that hauls ash from Covanta to Coffin Butte for daily cover, or it is taken to North Marion for an ash monofill; and
 - It extends the contract terms.
- There has not been an increase in COVID waste volume:
 - There has been vaccination waste increase.
- Santiam Hospital's waste is taken to Covanta.

Board discussion:

- Metro has similar flow control authority as Marion County:
 - In order to move waste out of Metro, there needs to be a non-system license, which is a contract with an entity to export the waste;
 - The other option is to be a designated facility, which is outside of Metro and the receiver of the material then has a contract with Metro:
 - That contract ties the receiver into paying all of their excise tax and solid waste fees.
 - This is not the county's choice to take Metro's waste:
 - This is Covanta's Supplemental Waste Program, which is in their contract.

- There is a food waste piece that Mr. May is looking for more clarification on;
- Landfill diversion is a big topic in metro regions;
- Safeway and Kroeger are wanting to use Coffin Butte for food waste;
- Adding Metro to the Covanta contract would look similar to a fee collection process:
 - It will make it easier for the supplemental waste flow to go to Covanta.
- There is not a price difference between food waste and other waste:
 - Most of the food waste is going to compost;
 - Recology in Aumsville has upgraded their system to process food waste material; and
 - There has been talks of adding a digester in the metro region.

Review the Fair Housing Resolution for the Community Development Block Grant (CDBG)

- Lisa Trauernicht

Summary of presentation:

- Resolution needs to be approved by the board in order for the county to draw down funds;
- Will need the resolution for the Entitlement Program;
- The resolution template came from Business Oregon based on Federal Housing and Urban Development requirements;
- Legal Counsel has reviewed the resolution; and
- Will come to Board Session Next Wednesday.

Board discussion:

- The resolution looks like it has federal language, not state language, but Ms. Trauernicht will research it and follow-up with the commissioners at this Wednesday's Policy Meeting.

Discuss the Federal Emergency Rental Assistance Program

- Lisa Trauernicht

Summary of presentation:

- Working on this issue for months;
- There is \$10.5 million available;
- The state received their own pool of money;
- Other jurisdictions received money based on their population;
- The state has a portal that they stated is for everyone to apply through, so it isn't confusing to the communities:
 - The system would then send the user to its proper jurisdiction;
 - It would be no cost to the county;
 - The state would contract with Community Action Agency with the same treasury funds; and
 - The county would then contract with Community Action Agency so it would make it easier for the community.
- Last Monday, the county received notice from the state that they could not use the state's portal program:

- The county can have a parallel portal program, but it is too soon for them launching their portal, which is May 5th, and the county cannot use their software.
- Had a meeting on Friday with the state and all of the jurisdictions that have their own funding:
 - The other jurisdictions did not know they cannot use the state's portal;
 - If the county would like to relinquish their funds to the U.S. Treasury, those funds would come back to the state:
 - The county would have a Memorandum of Understanding with the state for them to manage the county's funds; and
 - The state will not be a subrecipient of the funds.
- The group had a software demonstration for the CDBG software, which is the same company that does the emergency rental assistance software;
- The group is asking Ms. Jamison to be part of the conversation to see if she would help with the program if the county purchased their own software;
- The U.S. Treasury extended the deadline to spend the money to September 2022;
- The U.S. Treasury is changing the eligibility acceptance requirements:
 - Threw this money out without giving any guidance.
- The software program that the state is using, the county can also use and go in with other jurisdictions to save money:
 - It would look different than the state program, which may be confusing for the community.
- The group is back to square one.

Board discussion:

- The commissioners are against giving the money back to the state;
- The state is not providing any answers as to why things have changed:
 - The vendor does not have an issue with the county using the software.
- Jan Fritz will meet with Jody Christensen regarding this issue.

Ice Storm/Beachie Creek/COVID-19 Update

-All

Summary of presentation:

Brian Nicholas:

- Sent out a letter two weeks ago to property owners regarding debris clean up:
 - Issue with a constituent that signed up for phase one clean up, but not phase two:
 - The Oregon Department of Transportation (ODOT) removed a concrete slab off of their property where their house was on;
 - The property owners wanted to use the slab to put an RV on temporarily while they rebuild their home;
 - Chuck Williams is working on the complaint;
 - Public Works has conflicting information that states that the property owner did request phase 2 clean up:
 - The database that AC Disaster has states that they did not request phase two clean up.

- If anyone has questions from property owners, copy Chuck Williams on the email a cwilliams@co.marion.or.us:
 - He is communicating with ODOT to get issues resolved.
- Working on North Fork Road gating;
- April 17th North Fork Open House is set from 12:00 p.m. – 2:00 p.m.
 - Trying to do it at Elk Horn Fire Department:
 - Will not work there due to their well not being operable.
 - Commissioners suggested using Siegmunds grounds:
 - Mari-Linn School.
- Will be at the next Tuesday Management Update to discuss the North Fork Road Closure and Project Update;
- Signs on North Fork Corridor are in place, so it is enforceable;
- Mr. Norris is working on an ordinance;
- Will bring the ordinance to Management Update next Tuesday and will be before the Board for consideration next Wednesday;
- Following up with the property boundary issue that was discussed at the last Management Update:
 - Public Works and Legal Counsel met to figure out alternative options for property owners that have building structure that are over their property line;
 - Talked with State Building Codes Division;
 - Building structures that cross property lines:
 - There is a process that the state will recognize;
 - Property owners will file a restricted covenant, which ties the sale of one parcel to the sale of the other;
 - Public Works will draft a standard template;
 - The property owner will need to attach the property description, which they can get from their deed and will get notarized and filed with the Clerk's Office;
 - Chris Trussell can process the building permit; and
 - This is the easiest solution that doesn't have Marion County's Building Official in violation of state regulations.
 - Septic:
 - The Department of Environmental Quality (DEQ) regulations are very specific;
 - If the property owner wants to put a septic on a neighboring property, they need to file an easement;
 - Public Works will draft an easement template to which property owners can attach the legal description that comes from the deed and will be filed with the Clerk's Office.
 - Mr. Nicholas stated that COG has been in the conversation, and he will provide them with the forms to hand out;
 - If the property owner does not want to file the restricted covenant paperwork, then they will have to go through a legal process to change the lot lines.

Tamra Goettsch

- Found homes for a couple more families;

- Has been asked to facilitate a meeting with the community of Niagara around septic issues:
 - Has asked for representatives from Public Works;
 - Will be held on Thursday morning at 8:00 a.m.;
 - Scott McClure will be part of the meeting;
 - Ms. Goettsch suggested hosting a town hall meeting in that area regarding septic;
 - DEQ used to have a septic program that may get funded again through legislation:
 - The commissioners are hoping that the funds get filtered to the county, instead of the state;
 - The SIT team has \$2,000 grants for septic systems; and
 - FEMA has \$35,000 for additional needs.
 - FEMA application is closed and they are pushing individuals into the community to find local resources.
- Working with the long-term recovery group to help them define their role and organizational structure:
 - Had a meeting last week with LTRG Leadership and the FEMA Volunteer Liaisons;
 - There is a state issued disaster case manager grant that will be coming:
 - One has been hired with the state; and
 - Two more will be available for Marion County:
 - There is a lot of confusion about what the roles will be; and
 - A huge need in the area is construction, so the county would need a case manager that would be funded by this grant that would help organize the aspects of resources around construction.
 - The focus needs to shift from case management and getting individuals through FEMA to national organization and what they can do for the community.

Board discussion:

- Needing a communication plan up the canyon that is targeted to specific issues;
- There is confusion around the SIT:
 - There is an awareness up the canyon that SIT is used for social services;
 - The county needs to move into recovery outside of social services; and
 - The individuals that are getting missed are the ones that don't want the government involved.
- The county needs to have a conversation about how to get away from social services specific resources;
- The LTRG need to have their own 501c3 set up so it can manage resources coming in; and
- Scott McClure will be the point of contact to get this all moving forward.

LEGISLATIVE UPDATE:

Summary of presentation:

- Ms. Young contacted the Association of Oregon Counties to get clarity on the roles of the commissioners;
- Tonight, is Representative Clem's Wildfire Recovery Committee Meeting;
- The rebalance bill passed out of the House and will be headed to the Senate:
 - Has money for Marion County Parks;
 - Sheriff's Office;
 - Gates; and
 - Detroit.
- HB 3090 – Potential grants for onsite sewer and septic systems:
 - Referred to Ways and Means.
- SB 405 has passed out of the Senate and had its first reading;
- HB 2177 – Supreme Court to collect fees from certain public bodies:
 - Work Session has been scheduled for April 8th.
- SB 554 has passed out of Senate and had its first reading;
- HB 3115 – Sit-lie bill:
 - Passed the House; and
 - May not pass in the Senate.

OTHER:

Brian Nicholas:

- One of the Mid-Willamette Valley Area Commission on Transportation (MWACT) Polk County members sent out two requests for support of an earmark project:
 - The second request was to the Marion County Board of Commissioners to submit a letter of support.
- U.S. Congress is bringing back earmarks;
- Ms. Young and Mr. Nicholas met with CFM on Friday and they gave some guidance about what to give to Congressman Schrader's Office:
 - Asking the county to provide a list of potential earmark projects in a number of different categories.
- The Department of Transportation has a reauthorization bill that is in the works:
 - Each individual congress person has discretionary authority of \$3 million of potential earmark; and
 - CFM tasked Marion County to find projects in the \$500,000 - \$3,000,000 range and provide that to Congressman Schrader.
- The \$2 trillion transportation bill, which is picking up, is subject to earmarks:
 - Each individual congress person will have discretionary authority of \$15-\$20 million of potential earmark.
- This request is motivated by the opportunity to put earmarked projects into federal legislation;
- The project that Polk County is asking for support is at Highway 22 and Highway 51:
 - There have been significant crashes that have happened at this site in the past;

- ODOT developed a project for this location 20 years ago, but it was never funded;
- The current estimate for this project is \$82 million; and
- It would make this intersection a freeway style interchange.
- Mr. Nicholas sent ODOT an email to make sure they knew which projects Marion County was going to include in the earmark list;
- ODOT is not planning on submitting the Polk County project as an earmarked project, but they are planning on submitting I-5 Aurora/Donald interchange;
- Each congressional delegation member can submit a maximum of 10 projects; and
- This Polk County project will compete against Marion County's projects.

Barb Young:

- When Commissioner Brentano first started on MWACT, Polk County did share their money with Marion County for the Stayton/Sublimity interchange in 2003;
- Another letter that the commissioners received and asked for support was from Habitat for Humanity:
 - Marion County does not have a funding stream that conflicts with that, but it could compete with being one of the 10 projects.
- Brainstormed on Friday for two projects for this process with Mr. Nicholas:
 - Signal at Silverton Road and Howell Prairie Road; and
 - Road work that needs to be done leading to the I-5 Aurora/Donald interchange in Ehlen Road:
 - Adding Center line turn pockets at Ehlen/Yergen/McKay Road.

Board discussion:

- The 10 projects will be approved by the commissioners before they are submitted to Congressman Schrader;
- The commissioners would like to have a better understanding on earmarks;
- MWACT is moving forward with their letter of support; and
- If Marion County's I-5 Aurora/Donald interchange project is funded, then the county is in support of Polk County's Project:
 - Ms. Young and Mr. Lawyer will work on a letter for Polk County.

COMMISSIONERS COMMITTEE ASSIGNMENTS AND UPDATES:

Danielle Bethell:

- Gates is having a Town Hall this Friday:
 - The first half will be their visioning process for what Gates could look like.
- Met with the Idanha Fire Chief at Gates last Friday with Mr. Lawyer, Mr. McClure, and Mr. Miller:
 - He was unaware of the franchise agreement that districts have with the county; and
 - Made it very clear that they do not want ambulance service in Idanha, but wants to rely on Lyons for that service.

Meeting adjourned at 10:34 a.m.

COMPLETED BY: **Kristy Witherell**

Reviewed by: Melissa Rounds