

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, March 20, 2019

9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97305

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

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

PUBLIC COMMENT

(Video Time 0:01:16)

Gene Pfeifer:

- Mr. Pfeifer is a member of the Salem Area Chamber of Commerce;
- Mr. Pfeifer feels the third bridge should continue to move forward;
- He has been working on a solution that involves interstate commerce;
- The design presented to the city shows the following:
 - A bridge spanning 3,600 feet; and
 - Adds three lanes that will merge into city streets and cause more congestion.
- Mr. Pfeifer suggests the following:
 - The bridge be federally funded;
 - Span 1,300 feet across; and
 - Merge onto a new drive or street.
- Mr. Pfeifer submitted a handout to the commissioners.

CONSENT

(Video Time 0:07:33)

FINANCE

Approve a quitclaim deed to convey real property Tax ID #R86204 located at 925 Howard Street SE, Salem, Oregon.

HEALTH AND HUMAN SERVICES

Approve an order appointing Susan Garlinger to the Intellectual and Developmental Disabilities Advisory Committee with a term ending December 31, 2022.

INFORMATION TECHNOLOGY

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Approve Amendment #4 to Purchase Order #870498 adding \$183,000 for temporary staffing services from Covendis Technologies for a revised purchase order value of \$414,520.

PUBLIC WORKS

Approve an order appointing Brenda Sanchez and Rebecca McCoun to the Marion Water Quality Advisory Committee (MWQAC) with terms ending February 28, 2023.

Approve an order reappointing Richard Massey to the Marion Water Quality Advisory Committee (MWQAC) with a term ending February 28, 2023.

Approve an order canceling a public hearing previously scheduled for March 27, 2019, for Mass Gathering 19-001/Real Promotions.

Receive hearings officer's decision denying Administrative Review Case (AR) 18-023/Arnold.

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

ACTION

(Video Time 0:09:36)

PROCLAMATION

HEALTH AND HUMAN SERVICES

1. Consider approval of a proclamation designating the month of March as Intellectual and Developmental Disabilities (IDD) Awareness Month in Marion County. – Corissa Neufeldt, Shelley Day, Jess Day, and Susan Garlinger

Summary of presentation:

- This year's IDD Awareness Month theme is "A World of Choice and Possibility";
- Oregon was the first state to close its institutions for individuals with IDD, and support people in their home and community;
- There are approximately 2,800 children and adults in the county that receive services for IDD;
- Oregon has adopted an "Employment First Policy" into law:
 - Individuals have the right, choice and possibility to work in the community.
- The county has approximately:
 - 100 adult foster homes;
 - 35 foster homes for children; and
 - 150 24 hour residential programs that are licensed and certified to provide support to children and adults in the community.
- The county also has three case management entities, through support services brokerages, that also provide services;
- Ms. Neufeldt is grateful to have Ms. Garlinger on the advisory committee and is looking forward to having her bring her ideas and perspective to the group;

- The IDD Advisory Committee's primary role is to advise the program, and identify resources and services needed within the community;
- Individuals with IDD can have a fulfilling and quality life;
- Many individuals and families experience social isolation:
 - They don't have the family or the community support that they need.
- Ms. Neufeldt wants to challenge everyone in the community to the following:
 - Think about how they can participate;
 - Find ways to help their neighbors and fellow citizens;
 - Have a conversation with their children about respecting every person, regardless of a disability;
 - Invite a neighbor or friend with an IDD child to an event or on an outing;
 - Consider hiring somebody who experiences a disability;
 - Advocate for policy, practices, and laws, that will help make places in the community accessible for all people with disabilities; and
 - Consider applying to the IDD Advisory Committee.

Ms. Shelley Day, and her son Jess Day:

- Ms. Day is speaking on behalf of Jess who has cerebral palsy, and is nonverbal;
- Every child is different;
- With services received through the county, Jess has access to:
 - His community;
 - Two trained care providers;
 - Special education through the Community Transition Program with Salem-Keizer School District; and
 - Different jobs at Willamette University:
 - He helps out at a fish store.
- Jess is very social, has a great sense of humor, and loves music; and
- Jess is able to have normal, typical, and wonderful experiences every day due to the services provided.

Susan Garlinger:

- Has a daughter and twin boys that are neurologically challenged;
- Ms. Garlinger has expressed an interest in helping others who have children with IDD; and
- Is honored to be appointed to the IDD Advisory Committee.

Board discussion:

- Commissioner Brentano stated he has a grandchild with a developmental disability:
 - He has shared some of the same services provided; and
 - Is pleased that the Days have had a good experience.
- Commissioner Willis thanked the Days for attending and asked Ms. Day to expand upon the services received from the county:
 - Ms. Day responded that the caregivers are paid through Marion County;
 - One is medically trained;

- They provide regular peer involvement for Jess;
- He works out at a gym with another caregiver; and
- The caregivers also free up time for Jess's parents to spend with their other children.
- Commissioner Cameron thanked the Days, and Ms. Garlinger for attending and sharing their stories.

MOTION: Commissioner Brentano moved for approval of a proclamation designating the month of March as Intellectual and Developmental Disabilities Awareness Month in Marion County. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

The commissioners read the proclamation.

(Video Time 0:34:23)

BUSINESS SERVICES

2. Consider approval of an order delegating authority to the Chief Administrative Officer (CAO) to make determinations regarding appropriateness of green energy technology for public building construction. – Bruce Armstrong

Summary of presentation:

- Oregon statute requires public bodies engaging in a construction project for a public building or major renovation, to go through a process to consider the appropriateness of utilizing green energy technology:
 - A public body is obligated to determine if it is appropriate;
 - They must communicate the determination to the Department of Energy (DOE);
 - The DOE will provide an opinion if a public body determines it is not appropriate; but
 - Ultimately it is up to the public body to make the final determination.
- The county goes through periods with more construction projects than normal:
 - Would like a more streamlined and efficient process:
 - Every stage of a determination would not be required to come before the board of commissioners.
- It is proposed that the board delegate authority to the CAO to make decisions for green energy technology for public building construction.

Board discussion:

- The commissioners would like to be able to reverse this order if John Lattimer, the current CAO, should decide to leave the county or retire;
- Solar energy can be very expensive and problematic when installing on roofs;
- The county looks at energy and efficiency applications, such as lighting and windows, when constructing or reconstructing a building;
- Mr. Lattimer states he would never make a decision without first discussing it with the board;

- The order presented to the board today is specific to the CAO position rather than a specific person:
 - The order can be amended so that it is specific to John Lattimer; and
 - It will not carry forward if a new CAO is appointed.
- Language can also be added that requires consultation with the board regarding the use of green energy technology in construction; and
- The board wants to ensure county expense is considered when reviewing renewable energy projects:
 - They are confident that Mr. Lattimer will do this.

MOTION: Commissioner Willis moved for approval of an order delegating authority to John Lattimer, the Chief Administrative Officer, to make determinations regarding appropriateness of green energy technology for public building construction. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

(Video Time 0:44:03)

COMMUNITY SERVICES

3. Consider adopting a resolution to participate in the 2019-21 Community Dispute Resolution Program (CDRP) grant selection process. – Tamra Goettsch

Summary of presentation:

- The University of Oregon (UO) invited the county to participate in the selection process for a mediation provider;
- The county has participated in this process for several years;
- In prior years Neighbor To Neighbor has been selected as the provider:
 - They average between 50-60 open cases at any given time.
- If the legislature reauthorizes the funds necessary for this contract to be continued, there would be approximately \$92,000 available for this program;
- The county would work with UO on the solicitation process:
 - The county would participate in the selection process; and
 - Once a vendor is selected, UO would hold the contract.
- Funding would go through UO on the county's behalf;
- The selected provider is required to reside locally in order to serve the needs of the county's mitigation services;
- The resolution before the board allows the county to participate in this process; and
- If approved, the solicitation, selection, and contract process would follow.

Board discussion:

- Mediation could center around a fence or a dog issue:
 - These services could be utilized and accessed to find a solution, versus going through a legal process.
- The CDRP could assist in reducing court cases;
- If approved, funding for these grants would come from the state's general fund;

- The contract has an “Out Clause” in the event funding is not available; and
- If approved, the commissioners would like regular updates from UO:
 - Contract language could request an annual presentation to the board.

MOTION: Commissioner Brentano moved for approval to adopt a resolution to participate in the 2019-2021 Community Dispute Resolution Program (CDRP) grant selection process. Seconded by Commissioner Willis; motion carried. A voice vote was unanimous.

PUBLIC HEARINGS

9:30 A.M.

(Video Time 0:50:48)

PUBLIC WORKS

A. Public Hearing to consider the City of Gervais Urban Growth Boundary (UGB) amendment.
– Brandon Reich

Summary of presentation:

- The applicant is requesting concurrence in an adoption of an amendment to the City of Gervais UGB;
- At a public hearing conducted in July, 2018, the city approved an ordinance amending the UGB;
- The proposal to add a 0.53- acre parcel to the UGB meets a portion of the identified need for housing, for the city, for the year 2038;
- Once annexed, two to three dwellings can be developed on the property;
- The city determined that the proposal satisfies the requirements of all applicable laws, plans, and codes;
- It meets Marion County Comprehensive Plan Urban Growth Policies; and
- Staff recommends the following:
 - The board concur in the 0.53-acre amendment to the City of Gervais General Plan (UGB) for residential land;
 - Re-designate the additional land to the City of Gervais General Plan designation of Residential; and
 - Re-zone the property to a Marion County urban zone designation of (UT-20), Urban Transition, 20 acre.

Testimony:

Support:

John Brosy, Consultant for the applicant:

- The applicant supports staff’s recommendation and proposed findings;
- They are looking forward to completing this process and building homes on the property;
- The UGB process is long, and not designed for applications from individual property owners:

- It is generally done on behalf of a city.
- The property is part of a sub-division plat that dates back to 1890 in Gervais:
 - It was assumed the property was already in the city limits, but was later determined not to be.
- The application process was inactive from July, 2018, through November, 2018:
 - Additional funds for the project were being raised.
- The ordinance will take effect 21 days after its adoption:
 - It is scheduled to go back to the City of Gervais for the annexation and zoning process.

Board discussion:

- In December, 2017, Mr. Brosy met with the property owner to try and resolve the UGB issue;
- In March, 2018, an application was submitted to bring the property into the UGB;
- To date, the applicant has spent an estimated \$25,000:
 - Approximately \$12,500 for various application fees; and
 - More fees are anticipated if the UGB is approved.
- The applicant will receive a refund for a portion of the \$25,000, for work that has already been done in the concurrency process;
- The applicant is still deciding whether to:
 - Sell the property and let the buyer do the division and development; or
 - Complete the division and then sell the property; and
 - There will still be an additional cost of around \$10,000 per lot to cover development expenses.
- The UGB process can take at least six weeks:
 - The City of Gervais had already completed a housing needs analysis, which cut back on time and expense for the applicant.
- Cities can contract with the Council of Governments (COG) for the following:
 - Planning; and
 - Researching grant opportunities.

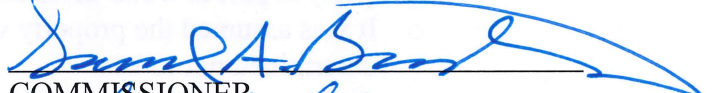
MOTION: Commissioner Willis moved to close the public hearing, and approve the City of Gervais Urban Growth Boundary (UGB) amendment. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

Commissioner Willis read the calendar.

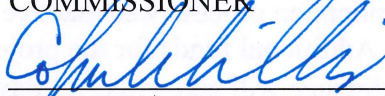
Commissioner Cameron adjourned the meeting at 10:16 a.m.



CHAIR



COMMISSIONER



COMMISSIONER

Board Sessions can be viewed on-line at

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