



Management Update summary Minutes

OREGON

January 23, 2024. 9:30 AM

Courthouse Square, 555 Court St. NE, Salem
5th Floor, Suite 5232, Commissioners Board Room

ATTENDANCE:

Commissioners: Colm Willis, Kevin Cameron, and Danielle Bethell. Staff: Trevor Lane, Shawnnell Fuentes, Alvin Klausen, Nick Hunter, Jeremy Landers, Matthew Neuenheim, Michael Keuler, Ryan Matthews, Paige Clarkson, Cody Hawkins, Steve Dickey, Chris Eppley, Lari Rupp, Kelli Weese, Sherry Linter, Zugey Luna, Jeffrey Good, Dawn Thompson, Tom Rohlfling, Rachael Estill, Nate Combs, Brian Nicholas, Brian May, Andrew Johnson, Scott Norris, and Chad Ball.

Jan Fritz called the meeting to order at 9:31 a.m.

INFORMATIONAL:

Mid-Valley Garbage & Recycling Association Cost of Service Analysis - Error

-Brian May, Dennis Mansfield

Summary of presentation:

- The rural two-yard cart containers rate was incorrect;
- The rural 65-gallon roll cart rate was incorrect;
- Solid waste code states the board of commissioners (BOC) needs to provide direction at a public hearing:
 - The public hearing will take place January 24, 2024.
- The rates given at the public hearing were not the rates given at a previous management update meeting.

Board Direction:

- The BOC is good to proceed with a public hearing on January 24, 2024.

SWMAC Reappointments

- **Brian Sund**
- **Will Posegate**

-Brian May

Summary of presentation:

- Solid Waste Management Advisory Council (SWMAC) comprises of 16 members:
 - There are eight citizens-at-large members; and
 - There are eight industrial members.
- Mr. Sund has been an at-large member for 16 years and would like to be reappointed:
 - He is a retired teacher who substitutes;
 - Active community volunteer in recycling; and
 - Solid waste and recycling chair for the Iron Man competition.
- Mr. Posegate has been the recycling industry representative for seven years and would like to be reappointed:

- Chief Operations Officer for Garten Services:
 - Garten processes 35 to 40 percent of recycled material in Marion County.
- Active in the industry serving on various groups and boards.
- This will be coming to board session on February 7, 2024.

Board Direction:

- The BOC is good to proceed.

Contract with Perennial Energy LLC for Gas Collection Components at the North Marion Recycling and Transfer Station

-Andrew Johnson

Summary of presentation:

- This will be coming to board session February 7, 2024;
- To the west of the North Marion Transfer Station there is a landfill:
 - It was closed in the late 1990s; and
 - Part of Marion County’s responsibility is collecting the natural gas generated from the landfill.
- The main component is the flare, which is over 25 years old:
 - It needs to be replaced with a newer system.
 - Control system relies on floppy disk drive.
- The total cost is \$261,226:
 - This is a budgeted capital project.
- This is not a large area, and the gas is not sold;
- There was an incident in 1993 and the gas migrated to the scale houses:
 - This resulted in two injuries; and
 - In 1998 the flare was installed to prevent future incidents.

Board Direction:

- The BOC is good to proceed.

Contract with Republic Service for Hauling of Waste from the North Marion Transfer Station

-Andrew Johnson

Summary of presentation:

- This will be coming to board session February 7, 2024;
- This will continue the service provided by Republic Services of Woodburn;
- Collected material from the transfer station is hauled away;
- This is a five-year contract with a five-year extension option:
 - The spending amount is \$5 million over the five years:
 - This amount factors in for any increases.
 - Currently a little over \$660,000 is spent, annually.
- The transfer station is located at a convenient location:
 - About 55,000 residents are served; and
 - About 30,000 tons are collected annually.
- Republic Service is the franchise hauler for the area:
 - As such there is no bidding done for the contract.
- The rates are not the franchise rates; and
- The new rates saw a less than one percent reduction in hauling rates.

Board Direction:

- The BOC is good to proceed.

ASA Advisory Committee Member Applications/Ambulance Service Plan OHA Certification

-Matt Neuenheim, Katrina Griffith

Summary of presentation:

- Members reapplying to the ASA Advisory Committee are as follows:
 - Shawn Baird of Woodburn Ambulance Service;
 - Mike Berger Marion County Fire Department; and
 - Brian Butler Keizer Fire Department.
- There are two new vacancies and the following have applied:
 - Chief Jim Walker of Woodburn Fire Department; and
 - Technical Services Manager with Willamette Valley Communications Center (WVCC) dispatch Melvin Peterson.
- Recertification of the Ambulance Service Plan (ASP) and public hearing request:
 - Changes were made to the ASP;
 - Oregon Health Authority (OHA) requires certifications on changes;
 - OHA certified the changes and made requirements that were added:
 - Access to data:
 - Providers are concerned with sharing their data.
 - List of EMS partner agencies that respond in the county;
 - List of what agency responds to what emergency; and
 - Correcting the Salem and Turner boundary issue.

Board Direction:

- The BOC is good to proceed with the appointments; and
- The BOC is good to proceed with the recertification.

Environmental Scan Contract with Willamette University Update

-Michael Keuler, Katrina Griffith

Summary of presentation:

- The purpose of this scan is as follows:
 - Meet OHA's requirement to conduct an assessment around environmental hazardous and natural disasters; and
 - Gain insight on the communities within Marion County.
- Meeting with Willamette University monthly;
- On track for the scan to be completed August 15, 2024;
- Interviews have been done with 20 community stakeholders:
 - 150 community stakeholders were reached out to.
- Interviews gather strengths, weaknesses, opportunities and threats (SWOT) of environmental hazards and emergencies;
- Marion County Homeless Resource report provided partners to reach out to;
- Some community stakeholders were preidentified:
 - Willamette University added more to the list.
- Assisting Willamette University in showing community stakeholders that benefit of the interviews;
- The university is developing a community survey:
 - How various emergencies have impacted residents and their health;
 - Environmental and natural disasters that have occurred; and
 - Survey has been piloted and input was provided regarding information collection and length (approximately 10 min,).
- Community engagement has been done:

- Literature view under way
- Media scan.
- A final report and presentation will be done at the end of the contract:
 - This will be shared with Polk County.
- Would like to extend the contract to August 15, 2024:
 - There will be no financial impact; and
 - Initially the contract was to start in May but because of contracting issues began in August.

Board Direction:

- Mr. Keuler to send Commissioner Bethell the list of community stakeholders
Willamette University is interview/speaking to:
 - Can help reach out to the stakeholders.
- Commissioner Bethell would like to compare responses with the wildfire survey done by Oregon State University;
- Mr. Keuler to find out if survey can be broken down by zip code; and
- The final report should be shared with Linn County as some of the space is shared.

Choice Model Services Contract with OHA and MCHHS

-Ryan Matthews

Summary of presentation:

- This provides supports and services for those navigating the residential system:
 - Those coming from the State Hospital and helping navigate through different levels of care.
 - Establishing long-term security outside of the behavioral health system.
- A few changes that the contract are as follows:
 - This is an 18-month contract, instead of annual:
 - Getting back to a biennium schedule.
 - Funding is \$33,000 more per year.
- This contract keeps the same language and continues to be separate from the larger health contract; and
- The total funding amount is \$1,274,524.

Board Direction:

- The BOC is good to proceed with this item on consent.

New Discovery Flat Rate Fee Schedule

-Jeffrey Good

Summary of presentation:

- The District Attorney's (DA)'s office would like to establish a flat rate fee structure:
 - This meets statutory requirements to provide discovery on criminal cases.
- The billing system will be streamlined:
 - Reducing labor and material costs.
- Discovery is the formal exchange of information between parties about witnesses and evidence that will be presented at trial for criminal cases;
- The current rate system includes a base rate that includes a certain number of pages there is an additional cost per page above the base rate as well as cost for providing the information other than via the portal (disk or flash drive);
- The new system will remove the following:
 - Counting pages; and
 - Charging for a disc.
- A new system was created in 2020, with the goal of transitioning to a flat rate:

- In 2023 it was discovered that there was an overcharge; and
- The overcharge was refunded.
- The new structure will align with other counties;
- There is no historical data to audit what was done previously;
- Other counties were surveyed asking about their structure:
 - There were 10 counties that responded.
- Experts in the subject were interviewed;
- The new Flat Rate Fee Structure's will depend on the case type;
- There is a paperless process where links are sent to requesting parties:
 - Once clicked on they always have access;
 - There is 72 hours before the link expires; and
 - If the link is not used it needs to be reissued.
- By statute the BOC must approved, it needs to be reissued and changes must be announced; and
- The DA's office will need to adjust the system to reflect new prices, once approved.

Board Direction:

- The BOC is good to proceed on consent.

Detroit Marinas – Phase 2 Engineering and Permitting Contract

-Lari Rupp

Summary of presentation:

- Marion County is excavating the two marinas at Detroit Lake Reservoir:
 - This will extend the summer recreation season; and
 - Help support the Canyon economically.
- Phase one was recently completed:
 - The BOC approved extending Osprey Point Peninsula by using the excavated dirt.
- For phase two the BOC approved using Maul Foster Alongi for engineering and permitting:
 - A contract was created:
 - The value of which is \$221,554.
- The following was added into the contract:
 - Communications team:
 - Maintaining the website;
 - On-call;
 - Assist in presentations and public meetings;
 - Maintaining the message;
 - Communicating with permitting agencies; and
 - Bid phase assistance.
 - Safety scope;
 - Quality control scope:
 - Safety plan when their surveyors and engineers are doing the work.
- The additional items added were discussed at a previous economic development update meeting.

Board Direction:

- The BOC is good to proceed.

Down Payment Assistance Process

-Steve Dickey, Chris Eppley

Summary of presentation:

- Met with Finance, Procurement, and Legal Counsel departments to create a better process:
 - It needs to match with the escrow and closing process; and
 - Timelines get dictated by escrow and closing.
- The proposed plan is to authorize the Chief Administrative Officer, Jan Fritz, to be the signatory:
 - Assistance payment amounts over \$100,000 become board items;
 - Aligning the board process with escrow and closing process is difficult; and
 - Checks need to be given before the escrow and closing process.
- Reports may be made available in the timeframe chosen by the BOC;
- The authority will be up to \$125,000; and
- The memo will be sent to the BOC and CAO.

Board Direction:

- These applications should come to management update:
 - Preferably before it is signed.
- The BOC is good to proceed; and
- The rehabilitation and down payment programs need to work better together; and
- The memo needs to be on the correct letterhead and edited.

Authorization of Civil Action Against Chronic Nuisance Property Located at 7411 74th Avenue, Salem

-Cody Hawkins

Summary of presentation:

- Under the Chronic Nuisance Ordinance board authorization is needed before filing a complaint;
- It is considered chronic nuisance when there are four or more qualifying incidents with 90 days including:
 - Arrests on a warrant; and
 - Misdemeanors or felonies occurring on the property.
- The county can pursue fining \$1,000 or a closure order closing the property for a period of time until the issues can be abated;
- Between January 24, 2023, and January 10, 2024, there have been 32 incidents:
 - They began escalating September 2023:
 - Stolen goods began being housed.
- Cease and desist is out with notices posted;
- Filing can begin early February with board authorization;
- Within the last 90 days there have been nine qualifying incidents including:
 - Recovery of four stolen vehicles;
 - Multiple arrest warrants; and
 - Other stolen goods recovered.
- The property is owned by Polycarp Cam but is within a power of attorney with a relative, Ivan Cam:
 - The power of attorney is cooperative.
- The closure order will have the power of attorney work on eviction and closing the property;
- Arrests and investigations have happened prior to trying to close the property;
- A court order to close the property will allow individuals to be removed and control access:
 - The property can be taken into possession for up to a year as the area gets under compliance again; and

- The livability issues effecting the property and neighbors are addressed
- To control access a fence is put up, locks are changed and there is patrolling;
- The process is once county has ownership on the property is as follows:
 - All incurred costs are calculated;
 - A lien is placed;
 - Foreclosure and a forced property sale; and
 - After all costs are paid, including court fees, what is left goes to the property owner.

Board Direction:

- A memo needs done created to be signed by the BOC; and
- The BOC is good to proceed.

LC 141

-Kevin Cameron, Tom Rohlifing

Summary of presentation:

- Contacted by the Oregon Farm Bureau to meet with Commissioner Kevin and Mr. Rohlifing;
- This concept reduces the confusion on taxes and farming;
- There are not thorough records on what exists on rural farm property:
 - There is no ability to discover what exists.
- Taxes are not paid equally among those who have similar farms;
- In 2017 returns were sent to properties identified as likely having machinery:
 - Properties advertise their services; and
 - The response was small.
- Some heard farm machinery and equipment is exempt if not reported;
- All personal property to operate a typical farm up to post harvest is taxable:
 - Newer equipment can process in the field as well.
- Clarity of the LC is needed for assessor's:
 - Statutes can be administered in efficient ways.
- Asked in the LC for machinery and business personal property to be combined:
 - Deadlines, fees, and collection rules vary.
- Farm use and non-farm use line is vague;
- Post-harvest and shipping preparations line is vague;
- This came to the last legislative session:
 - The bill died; and
 - The revenue impact could not be calculated.
- The known machinery tax revenue for last year would have been \$2 million difference;
- The proposal is to expand the exemption to the following:
 - Machinery existing on farm property; and
 - Farming machinery on other properties.
- It is about \$150,000 in potential taxes; and
- A potential consequence is machinery being moved to specially assessed properties exempt.

Board Direction:

- Mr. Klausen to create a letter of support of LC 141:
 - The assessor and association would like to be in participation to get it workable.
- Mr. Rohlifing to be part of the Association of Oregon Counties (AOC) Governance committee, February 2, 2024, where this will be discussed.

Legislative Update:

-Alvin Klausen

Summary of presentation:

- Senator Merkley has a new Marion County representative:
 - Gustavo Guerrero is interested in meeting the BOC.
- Salem Baseball Turf Project:
 - Asking for letter of support as a fiscal request from legislature is being done;
 - Asking for money from Marion County; and
 - There has been \$2.3 million raised.
- The Block of Humanity Project:
 - Resource center to be built at the old Statesman Journal building;
 - The YMCA and community non-profit partners to come together;
 - Senator Deb Patterson's bill:
 - Many senators and representatives are in support.
- Representative Jami Cate to discuss dam levels:
 - Community conversation taking place in Lebanon.
- Legislative Concepts (LC):
 - LC for committees were dropped;
 - LC 0089 – Expansion of PERS:
 - Include DA's;
 - Reduces retirement ages; and
 - Create a category for hazardous positions.
 - LC 22 – Statewide property tax to be sent to voters in 2024.
- Federal Agenda Review and Approval:
 - North Santiam Sewer Project adjusted to \$19.5 million from \$70 million:
 - To finish the Mills City and Gates portion of the project.
 - Sheriff's Office has requested for a Mobile Incident Command Center:
 - Current vehicle does not have proper technology.
 - Brooks-Hopmere Water Infrastructure;
 - Body Camera priority status for Sheriff's Office question still pending;
 - Mobile Crisis Response Funding:
 - Issue of law enforcement associating with the response teams.

Board Direction:

- Marion County representative meeting:
 - Commissioners Cameron and Colm to meet with him.
- Salem Baseball Turf Project:
 - The BOC will sign a letter of support.
- Rep. Jami Cate Discussion:
 - Mr. Klausen to ask if the meeting can be on February 16, 2024.
- Legislative Concepts:
 - Mr. Klausen to email the BOC the full LC.
- Federal Agenda Review and Approval:
 - The BOC to further discuss this later.

COMMISSIONERS' COMMITTEE ASSIGNMENTS and UPDATE

Commissioner Danielle Bethell

- SEDCOR interviews:
 - There was a total of four candidates:
 - At this time one candidate was hired; and

- Discuss apprenticeships as this is his focus.
- A second interviewee was a great candidate:
 - Spoke to the committee to work with Linn County to expand;
 - Hire the interviewee as a regional liaison; and
 - SEDCOR will work on this.

Commissioner Kevin Cameron

- N/A

Commissioner Colm Willis

- N/A

OTHER

Ryan Matthews – Aid and Assist Pilot Project;

- Met with the OHA;
- Commissioner Cameron agrees to support the project; and
- Joining the project would allow the county to have and give input.

Board Direction:

- Commissioner Bethell would like to detail what system looks like before and throughout the project;
- Inform the BOC who the other participating counties are:
 - There can be a partnership.

Ryan Matthews – Primary Contract

- The contract is not perfect but with signing it can get where it needs to be;
- OHA was emailed asking for clarity in certain areas:
 - OHA has sent it up the chain.
- The resolution process is extensive and may need to be discussed; and
- There does not seem to be a large impact on the county.

Board Direction:

- The BOC will thoroughly look over the contract and a meeting will be scheduled later.

District Attorney Paige Clarkson – LC 79;

- Senator Sara Gelsler’s concept; and
- Harder to commit individuals with an intellectual disability not understanding their criminal behavior.

Board Direction:

- If AOC adds LC 79 to the Public Safety Committee on February 5, 2024, the DA to join the meeting; and
- Mr. Klausen to discuss with the chair of the committee.

Adjourned – time: 11:31 am

Minutes by: Mary Vityukova

Reviewed by: Gary L. White