



Board of Commissioners
 Office: (541) 766-6800
 Fax: (541) 766-6893
 4500 SW Research Way
 Corvallis, OR 97333
 co.benton.or.us

AGENDA

(Chair May Alter the Agenda)

BENTON COUNTY BOARD OF COMMISSIONERS

Tuesday, October 17, 2023, 9 AM

How to Participate in the Board of Commissioners Meeting			
In-Person	Zoom Video	Zoom Phone Audio	Facebook LiveStream
Kalapuya Building 4500 Research Way Corvallis, OR	Click for Zoom link	Dial 1(253) 215-8782	Click for Facebook LiveStream link
	Zoom Meeting ID: 817 1520 0988		
	Zoom Passcode: 306559		

1. Opening

- 1.1 Call to Order
- 1.2 Introductions
- 1.3 Announcements

2. Review and Approve Agenda

3. Comments from the Public

Time restrictions may be imposed on public comment, dependent on the business before the Board of Commissioners. Individual comment may be limited to three minutes.

4. Work Session

- 4.1 15 minutes – Monthly COVID Update from Department Operation Center – *April Holland, Health Services*
- 4.2 10 minutes – Quarterly Floodplain Program Updates – *Toby Lewis, Community Development*
- 4.3 15 minutes – Communications Update – *Cory Grogan, Public Information Officer*

The Board may take a brief recess between the Work Session and Business Meeting

The Board of Commissioners may call an executive session when necessary pursuant to ORS 192.660. The Board is not required to provide advance notice of an executive session. However, every effort will be made to give notice of an executive session. If an executive session is the only item on the agenda for the Board meeting, notice shall be given as for all public meetings (ORS 192.640(2)) and the notice shall state the specific reason for the executive session as required by ORS 192.660.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the Board of Commissioners Office, (541) 766-6800.

BUSINESS MEETING

5. Consent Calendar

- 5.1 Approval of the October 3, 2023 Board Meeting Minutes
- 5.1 Approval of the September 19, 2023 Board Meeting Minutes
- 5.2 Approval of the September 5, 2013 Board Meeting Minutes

6. Proclamations

- 6.1 5 minutes – Proclaiming October 2023 as The Great Oregon ShakeOut Month in Benton County, Proclamation P2023-018 – *Chelsea Chytka, Benton County Sheriff's Office*

Public Hearings

(Hearings are heard at 11:00 a.m., time certain or as soon thereafter as the matter may be heard)

Those wishing to speak should sign the "Public Comment" sign-in sheet – Thank you.

- PH 10 minutes – In the Matter of a Public Hearing Regarding 2024 Community Development Fee Increases, Order #D2023-074 – *Ron Dettrich, Darren Nichols, Community Development*

8. New Business

- 8.1 5 minutes – Request Letter of Support from BOC for Public Health Reaccreditation – *April Holland, Health Services*
- 8.2 20 minutes – Discussion Regarding the 2024 Fee Schedule for Environmental Health – *April Holland, Scott Kruger; Health Services*
- 8.3 15 minutes – Approval of 2023-25 Community Corrections Plan and IGA #6522 Between the State of Oregon and Benton County – *Justin Carley, Sheriff's Office*
- 8.4 15 minutes – Requesting an Exemption from Competitive Bidding for the New Benton County Emergency Operations Center for the Use of the Construction Manager/General Contractor (CM/GC) Services of Contracting – *Gary Stockhoff, Public Works*
- 8.5 20 minutes – Review and Approval of the Benton Area Transit, 2023 Title VI Plan Update – *Gary Stockhoff, Brad Dillingham; Public Works*

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9. Other

ORS 192.640(1)" . . . notice shall include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects."

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WORK SESSIONS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 10/17/23

View [Agenda Tracker](#)

Suggested Placement * Work Session

Department * Community Development

Contact Name * Toby Lewis

Phone Extension * 6296

Meeting Attendee Name * Toby Lewis

Agenda Item Details

Item Title * Quarterly Floodplain Program Updates

Item Involves * Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

Estimated Time * 10 minutes

Board/Committee Involvement * Yes No

Advertisement*

Yes

No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

Provide floodplain program updates to the Board regarding:

- Integration of National Flood Insurance Program & Endangered Species Act – Status of FEMA Environmental Impact Statement (EIS) process
- Community Rating System Annual Recertification of Benton County Floodplain Program – Status of submittal
- Northwest Regional Floodplain Management Association Conference, Sept. 19-21, 2023 (Spokane, WA) – Key takeaways & upcoming changes
- Regional Flood Map Exploration Event, Sept. 26, 2023 – Recap of collaborative event hosted at Benton County

Options *

This item does not require Board action.

Fiscal Impact *

- Yes
 No

2040 Thriving Communities Initiative

Mandated Service?* Yes No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values*

Select all that apply.

- Vibrant, Livable Communities
- Supportive People Resources
- High Quality Environment and Access
- Diverse Economy that Fits
- Community Resilience
- Equity for Everyone
- Health in All Actions
- N/A

Explain Core Values Selections*

Continued implementation of Benton County's floodplain program ensures safe and resilient development and construction methods when development occurs in flood hazard areas, reduces risks to life and structures by encouraging development to occur outside of high flood risk areas, and encourages healthy interactions between humans and the environment.

Focus Areas and Vision*

Select all that apply.

- Community Safety
- Emergency Preparedness
- Outdoor Recreation
- Prosperous Economy
- Environment and Natural Resources
- Mobility and Transportation
- Housing and Growth
- Arts, Entertainment, Culture, and History
- Food and Agriculture
- Lifelong Learning and Education
- N/A

Explain Focus Areas and Vision Selection*

Minimization of structural development within mapped flood hazard areas improves community safety and emergency preparedness, preserves natural habitat for healthy environmental function and community enjoyment, and maintains open spaces within floodplains for continued agricultural production.

Recommendations and Motions

Item Recommendations and Motions

Staff Staff does not recommend making any program changes at this time.

Recommendations*

Work Session I move to ...

Motions* [This item does not require Board action.]

Recommendations and Motions

Staff Recommendation:

Staff does not recommend making any program changes at this time.

Work Session Motions:

[This item does not require Board action].

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

2023-10-17_Floodplain Program Updates.pptx 54.13KB

Comments (optional)

If you have any questions, please call ext.6800

**Department
Approver**

DARREN NICHOLS

1.

Department Approval

Comments

Signature

Darren Nichols

2.

Counsel Approval

Comments

Signature

Vance H. Crooney

3.

County Administrator Approval

Comments

Signature

Rachel L McEneny

4.

BOC Final Approval

Comments

Signature

Amanda Makepeace

FLOODPLAIN PROGRAM UPDATES

- Integration of National Flood Insurance Program & Endangered Species Act
- Community Rating System Annual Recertification of Benton County Floodplain Program
- Northwest Regional Floodplain Management Association Conference (Spokane, WA)
Sept. 19-21, 2023
- Regional Flood Map Exploration Event
Sept. 26, 2023

Communications Update

September 2023

Cory Grogan

October 2023

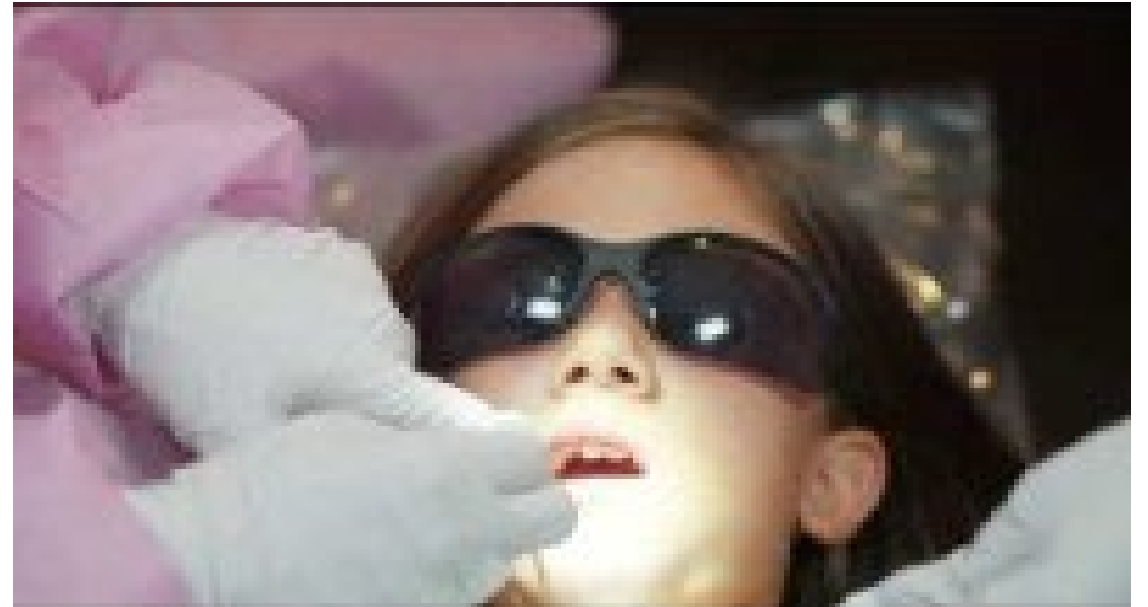


Education & Training Outreach

Health Centers of Benton and Linn Counties School-Based Dental Program



English



Spanish



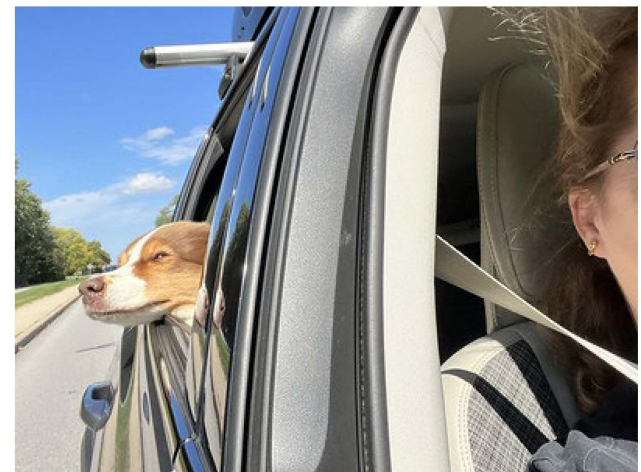
Corvallis FALL FESTIVAL

Celebrating 50 Years | 1973-2023

Community Outreach – Fall Festival

- Mainstage banner
- Logo on all materials
- Vendor space
- Website
- Thank you in Gazette-Times
- Over 140 new E-news sign-ups







Awareness & Outreach Campaigns

Done

- Assessor's Office – property tax statements
- Hispanic Heritage Month
 - [2023 Hispanic Heritage Month celebration - YouTube](#)
- Flood Mitigation Event
- Meet the new Benton CA
- RFPs for Sustainable Material Management Plan

Upcoming

- Historic Courthouse Advisory Committee update
- New evacuation route – Oak Creek to Ponderosa

Advertising

- Employment opportunities
- Biennium Report
- Sign up for Enews
- How to receive Benton County Information



Review the Biennium Report

<https://bit.ly/BentonCoGov-BienniumReport>



Sign up for Enews

<https://bit.ly/BentonCoGov-ENews>



View our job openings

<https://bit.ly/BentonCoGov-Careers>

*At your service,
every day.*

Highlights



Benton County Public
PODCAST
- Episode 5

Hear about the important work the Corvallis Daytime Drop-in Center is doing to address the impacts of homelessness in Benton County.



co.benton.or.us

- Litter prevention/water quality
- City of Corvallis biennial survey
- National Disability Employment Awareness month
- Assessor appraisals
- Casa Latinos Unidos event
- Great Pumpkin Run
- Hispanic Heritage month 2023 celebration
- Indigenous People's Day
- Mobile food cart fire code training
- Benton County Podcast #5
- Alsea vaccination event
- Federal Wildfire Mitigation & Management report
- Open Studios Art Tour
- Fire Prevention Month cooking safety
- OSFM defensible space assessment program
- World Mental Health Day
- Flood prevention partner meeting

Publications



Biennium Report 2021-2023

Highlighting activities, achievements, and financial performance by Benton County



- Historical Driving Tour
- Riparian Resources
- Biennium Report Distribution
- How to receive Benton County information

Website Project

Page 21 of 225



- Photo and video archive
- Content oversight
- Plain language training
- Web Content Specialist
- Public Outreach



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Benton County

CONSENT CALENDAR

**MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS**

Livestream: <http://facebook.com/BentonCoGov>

Tuesday, October 3, 2023

9:00 a.m.

Present: Pat Malone, Chair; Xanthippe Augerot, Commissioner; Nancy Wyse, Commissioner; Vance Croney, County Counsel; Rick Crager, Interim County Administrator

Staff: Scott Anderson, Derek Abrams, Russell Barlow, Jasmin Brambila, Cassandra Carder, Ryan Kidder, Phillip King, John Larsen, Eric Padilla, Joe Stillings, Mario Veloz, Information Technology; Rocío Zavala Buendía, Cynthia De La Torre, Karol Elizondo, Miriam Estrada, Paula Felipe, Samantha Garcia, Mac Gillespie, Sara Hartstein, Darling Hernandez, April Holland, Kendra Meshnik, Rocío Muñoz, Melissa Murphy, Javier Navarro, Kailee Olson, John Pegg, Liesel Rolston, Jasper Smith, Health; Gabby Dibble, Lindsey Goodman, Karen Vaughn, Finance; Cory Grogan, Public Information Officer; John Haroldson, District Attorney; Amanda Makepeace, BOC Staff; Erika Milo, BOC Recorder; James Morales, Michael Rodriquez, Records; Darren Nichols, Inga Williams, Community Development; Pedro Polanco-Perdomo, Facilities; Emilia Sanguina, Jef Van Arsdall, Sheriff

Guests: Shawn Collins, Unity Shelter; John Harris, Horsepower Productions; Gustavo Esparza, Yanci Hernandez, Susan Ibarra, Jose Mendoza, Jessica Rodriguez-Salgado, Casa Latinos Unidos; Peggy Lynch, League of Women Voters of Oregon; Alma Torres, Court Appointed Special Advocates; Mark Yeager, resident

1. Opening:
1. Call to Order

Chair Malone called the meeting to order at 9:01 a.m.

2. Introductions
3. Announcements

No announcements were made.

2. Review and Approve Agenda

The following item was removed from the agenda:

7.2 Request to Apply for an Oregon Arts Commission Grant – Tomi Douglas, Natural Areas, Parks, and Events

3. *Comments from the Public

Cheryl Van Leuven, Alsea resident, member of the Alsea Citizen Advisory & Budget Committee, commented on improper or possibly unlawful lot line adjustments, permits, and lack of oversight on development of the property at 182 West Main Street in the Community of Alsea. Van Leuven has previously emailed the Board and Community Development about this issue, and expressed concern about a lack of transparency from Community Development. Van Leuven asked that this item be added to the next Board Meeting agenda.

Wyse noted that at least two Commissioners have followed up with staff on this matter. Wyse will follow up with Van Leuven.

{Exhibit 1: Van Leuven Public Comment}

Shawn Collins, Unity Shelter, reported that Unity received almost \$1.5 million in funding from InterCommunity Health Network and State House Bill 5019 to support emergency shelter in 2024, along with strong donor support. The current plan is to open the men's shelter in November 2023 through the winter; Room at the Inn will return to being a women's shelter, expanded to 50 beds. In spring 2024, the men's shelter will close for required renovations. Unity is the only low-barrier shelter and transitional housing provider in the City of Corvallis and Benton County. There are still large gaps in service capacity; Room at the Inn has a waitlist, the Hygiene Center sees 50-60 unsheltered people per day, and Corvallis Daytime Drop-in Center sees about 75 people per day. Third Street Commons (a non-congregate shelter) will close next summer, removing 24 beds. The emergency hotel sheltering program closed due to lack of funding. Collins urged the Board to invest more in social services for people who are unhoused.

4. Proclamation

4.1 Proclaiming October as Hispanic Heritage Month, Proclamation P2023-017 – *John Haroldson, District Attorney; Jessica Rodriguez-Salgado, Casa Latinos Unidos; Cynthia De La Torre, Health*

Haroldson introduced himself as a proud citizen of Mexico and the United States, from a first-generation family. Haroldson read the proclamation aloud in English.

Rodriguez-Salgado read the proclamation aloud in Spanish.

MOTION: Augerot moved to proclaim September 15 through October 15 as Hispanic Heritage Month in Benton County, Proclamation P2023-017. Augerot noted that Malone is Board Chair (not Wyse as was read aloud). Wyse seconded the motion, which **carried 3-0.**

Wyse thanked Siddiqui, Grogan, and others who helped with the event.

5. Consent Calendar

5.1 Approval of Appointment to the Food Service Advisory Committee: Jennifer McPike, Order #D2023-072

5.2 Approval of Appointment to the State Transportation Improvement Fund Advisory Committee: Sarah Bronstein, Order #D2023-073

5.3 Approval of the September 5, 2023 Board Meeting Minutes

MOTION: Augerot moved to approve the Consent Calendar of October 3, 2023. Wyse noted a highlighted and possibly incomplete section in item 5.3. Milo recommended that the item be pulled for correction. Augerot moved to approve the Consent Calendar of October 3, 2023 with the removal of item 5.3. Wyse seconded the motion, which **carried 3-0.**

6. Old Business

6.1 Second Reading of Ordinance Number 2023-0320 Amending the Adair Village Urban Growth Boundary (UGB) – Darren Nichols, Community Development

Nichols explained that the Board approved this item in September 2023. This is the required second reading to correct a mapping error by adding 0.12 acre of land to the Adair Village UGB off Ryals Avenue and Highway 99 West.

MOTION: Wyse moved to enact Ordinance #2023-0320 amending the Adair Village Urban Growth Boundary by conducting a second reading of the Ordinance. Augerot seconded the motion, which **carried 3-0.**

Counsel read the Ordinance aloud (short title). Effective date November 2, 2023.

7. Departmental Reports & Requests

7.1 Request to Apply for Oregon Department of Land Conservation and Development (DLCD) Technical Assistance Planning Grant – Darren Nichols, Community Development

Nichols asked the Board to authorize a grant application to DLCD for financial and technical assistance with long-range planning, and for the Board to authorize a letter to the Land Conservation & Development Commission supporting the application. Several years ago, the Board began a list of long-range planning priorities. At that time, the Planning Commission (PC) was exploring its advisory role to the Board on policy updates and long-range planning. A joint meeting resulted in a list of the top 10 issues. In July 2022, staff and the Board discussed ways to do the work, such as a Voluntary Periodic Review work plan. On September 26, 2023, a joint meeting took place with staff, the Board, the PC, and colleagues from DLCD and Wasco County to discuss specifics of what a work plan involves. The group reached general consensus to explore a work plan and ask for technical assistance.

Wyse noted that while she supported the grant application, she would vote against the item on principle because the item was submitted late to the packet, which is unfair to staff who had to work unexpectedly on their day off, and also made it difficult for Wyse and the public to sufficiently review the packet before the meeting. Wyse told all County Departments that in future, if a late packet addition causes Benton County staff to work unexpectedly on their day off, Wyse will vote no on the item.

Augerot noted this is not just a Community Development issue. It is a challenge for staff and makes it hard for the community to be aware of issues under discussion if the County does not have timely packets.

MOTION: Augerot moved to approve the submission of a Technical Assistance Grant application in an amount to be determined to the Department of Land Conservation and Development (DLCD), and direct the Community Development Director, in partnership with the DLCD, to take the necessary steps in creating a preliminary plan, scope of work, and budget for a Voluntary Periodic Review work plan, and in addition to that, to authorize staff to help the Board put together a letter of support to DLCD for this proposal. Wyse seconded the motion, which **carried 2-1 (Wyse opposed).**

Malone asked if it was accurate that these reviews used to be mandatory, which did not go well, whereas reviews are now voluntary and more a partnership.

Nichols confirmed. Periodic review was established in the 1970s, expecting that Comprehensive Plans would be updated every 10 years. Workloads were large and funding was small, so review became unwieldy in the 1980s-1990s. The State retooled to a voluntary approach. Volunteering puts Benton first in line for grant priorities and State agency assistance.

Augerot noted that the review affects all unincorporated areas and will allow the County to reconsider zoning that constrains development, which has particularly been an obstacle for the Community of Alsea. The Communities of Blodgett, Summit, Alpine, and Bellfountain will also be affected. Many long-range priorities need to be addressed at a comprehensive level with many partners, rather than permit-by-permit.

Nichols agreed that many plans for unincorporated communities need to be refreshed.

Malone thanked Nichols and staff for volunteering to do more work.

Wyse expressed appreciation for the work Nichols and staff have been doing.

Crager apologized to staff who had to work on Saturday to update the agenda and packet; it was Crager's decision to include the item.

Nichols apologized and expressed appreciation for the work of staff and the Board's Office.

7.2 Request to Apply for an Oregon Arts Commission Grant – Tomi Douglas, Natural Areas, Parks, and Events (NAPE)

Malone explained that NAPE had withdrawn the request to apply for a \$5,000 grant, and instead will apply for a \$10,000 grant in spring 2024. Malone noted that sometimes grant deadlines are short and asked if there was or could be a policy allowing a department to meet an external deadline without advance Board approval, perhaps if the item is under a certain dollar amount.

Crager replied that is not an option in current financial policy, but Crager may institute a retroactive approval for certain items. Crager reminded department heads that they can put an item on the next agenda before the application is completely finished.

Augerot shared that the Board has given authority to the District Attorney to apply for certain grants without coming to the Board for permission. The Community Development grant is a case in point; the proposal was due yesterday, so today's decision was a retroactive approval. Augerot felt that an item must come before the Board if it is a major initiative that will affect staffing. However, requesting \$5,000 to host an event may not rise to Board level; perhaps the policy should be reviewed and clarified.

Crager to follow up.

8. Other

Augerot noted that new County Administrator Rachel McEneny began work at Benton County yesterday, and thanked Crager for serving as Interim County Administrator in September 2023.

Malone and Wyse thanked Crager.

10. Adjournment

Chair Malone adjourned the meeting at 9:46 a.m.

Pat Malone, Chair

Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

**MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS**

Livestream: <http://facebook.com/BentonCoGov>

Tuesday, September 19, 2023

9:00 a.m.

Present: **Pat Malone**, Chair; **Xanthippe Augerot**, Commissioner; **Nancy Wyse**, Commissioner; **Vance Croney**, County Counsel; **Rick Crager**, Interim County Administrator

Staff: **Eric Bowling**, **April Holland**, **Kailee Olson**, **Damien Sands**, Health; **Cory Grogan**, Public Information Officer; **Adam Loerts**, Information Technology; **Amanda Makepeace**, BOC Staff; **Tracy Martineau**, Human Resources; **Rachel McEneny**, incoming County Administrator; **Erika Milo**, BOC Recorder; **Darren Nichols**, **Inga Williams**, Community Development; **Jesse Ott**, Natural Areas, Parks & Events; **Jef Van Arsdall**, Sheriff

Guests: **Heather DeSart**, Northwest Oregon Works; **Joe Frenel**, **Rachael Maddock-Hughes**, Rural Prosperity Partners; **John Harris**, Horsepower Productions; **Aleita Hass-Holcombe**, **Alison Hobgood**, Corvallis Daytime Drop-in Center; **Mandy Place**, **Andrea Spritz**, residents; **Nancy Taniguchi**, Historic Resources Commission

1. Opening:

1. Call to Order

Chair Malone called the meeting to order at 9:03 a.m.

2. Introductions

3. Announcements

No announcements were made.

2. Review and Approve Agenda

No changes were made to the agenda.

3. *Comments from the Public

Hobgood, Corvallis Daytime Drop-in Center (CDDC) Executive Director, shared that CDDC was recently burglarized and vandalized by a guest with an acute mental health disability. CDDC is the only day resource and navigation center for people experiencing extreme poverty in this region. Hobgood emphasized the refusal of government officials and agencies to truly witness the crisis that many in this community are experiencing and the work that providers are doing to mitigate it. The Board recently voted to prioritize funding for a new Emergency Operations Center (EOC). CDDC is an EOC every day. Conversations with the Good Samaritan Regional Medical Center Emergency Department, Assertive Community Treatment team, and Corvallis Police Department suggest CDDC is managing the real-time version of the type of future crisis the County is planning for. Governor Tina Kotek declared homelessness a statewide emergency, yet local governments continue to ignore the crisis and take service providers for granted. CDDC, Unity Shelter, Community Housing First, Vina Moses, Community Outreach, Incorporated, Faith Hope & Charity, and Pathfinders are Benton's Emergency Management team, and CDDC is Benton's EOC. Government needs to acknowledge the current emergency,

which is only getting worse. For many guests, everyday existence is a state of emergency. Soon there will be emergencies related to winter warming, summer cooling, and wildfires. Valuing providers' hard work with ongoing committed funding, true political will, and tangible, functional material spaces is a must. The status quo is not sustainable. Everyone needs to work together to support those who are most vulnerable.

Wyse asked if Hobgood had a specific, tangible request.

Hobgood expressed frustration with funding decisions made at the September 5, 2023 Board Meeting. Work by CDDC and the County on a Homeless Navigation Center has hit another obstacle. The City is working on a time, place, and manner sleeping guide that is dysfunctional, and policy is not working. Hobgood called for more engagement and direct funding. Staff keep trying to do the work, but help never totally materializes. The situation is bad. It will be hard to expect staff to still show up if there is not a more coordinated effort, which requires funding.

Augerot noted there is a need for operational support, but also space. Augerot would love to provide some of the first funding for a new space, but many other projects are already further along. Augerot acknowledged this is a daily emergency and praised the work of Hobgood and team. The Board and the community have to figure out how to do this.

Hobgood described experiencing grief in witnessing guests' very challenging lives, as well as grief at how the system continues to fail. Hobgood hoped that something can be done collectively, because it is impossible to do alone.

{Exhibit 1: Hobgood Testimony}

4. Work Session

4.1 Monthly COVID Update from Health Services – *April Holland, Health Services*

Holland thanked Hobgood for those comments; it is an honor to work with service providers. The United States has experienced a rise in COVID-19 hospitalizations and transmission for several weeks. In Oregon, 247 individuals were hospitalized with COVID-19 at the last update. Last month, there were 173. There is a concerning rise in hospitalizations for people age 65 and above compared to increases in other age groups. Benton County had no COVID-19 hospitalizations last week. The Centers for Disease Control (CDC) predict relatively stable hospitalization rates in coming weeks. Despite increased hospitalizations, there have not been increased deaths in Oregon, but nationwide, 2% of deaths were COVID-19 related in the past week, up from 1% last month. Statewide testing positivity rate is 15%, up from 11% last month. For Health and Human Services Region 10 (including Oregon), about 13% of tests were positive over the last two weeks. Last month, several neighboring areas showed increased wastewater signals, but levels are plateauing at a moderate concentration in most areas. A plateau means steady transmission. There are no significant new variants, only Omicron XBB-related variants, which are very contagious but are not more virulent and do not cause more severe illness than previous Omicron strains. Exercise additional caution to protect those most susceptible to severe outcomes. Anyone who is infected can experience long COVID.

On September 11, 2023, the CDC recommended the new monovalent XBB1.5-based mRNA booster for people aged 6 months and above. The CDC says everyone can benefit from vaccination, and many COVID-19 deaths could be vaccine-preventable. Prioritize vaccination of those at high risk and remain aware of equity considerations. COVID-19 vaccination will no

longer be covered by the government, but most insurance plans will cover it at no individual cost. Those without insurance will be able to get low-cost vaccination from local health centers, State, local, territorial, and Tribal Health Departments, and pharmacies that participate in the CDC Bridge Access Program. Bridge doses will be available in mid-October 2023. Children covered by the Vaccines for Children program may receive a vaccine from an enrolled provider. Oregon will have 30,000 doses for uninsured or underinsured adults at Federally Qualified Health Centers, Benton Community Health Centers, Tribal Health Centers, and participating pharmacies such as Walgreen's and CVS. Recently CDC shared messaging about hospital capacity in the respiratory virus season. Oregon has low hospital beds per capita, so small changes in admissions could strain hospital capacity. Even a mild to moderate respiratory virus season could cause serious drain. OHA will monitor the primary contributors to severe illness: influenza, Respiratory Syncytial Virus (RSV), and COVID-19. Hospitals and similar facilities may reinstitute masking recommendations when virus levels increase. Wastewater data on influenza and RSV will be available soon.

Malone asked when the new vaccine booster would be readily available in Benton County.

Holland replied that vaccines are expected any time now. The bivalent or early primary boosters will no longer be used, simplifying the process. Some pharmacies are already making appointments, and Samaritan Health Services says its online scheduler will be available soon. Holland recommended contacting providers or pharmacies about availability.

Responding to a question from Malone, Holland confirmed that the new vaccine would be available at the County vaccination clinic this month.

Malone asked if RSV vaccination was also recommended this fall.

Holland did not have the recommendations on hand; the RSV vaccine is age-specific. It is safe to have all three vaccines at once, but this could compound some after-effects depending on age and health status. Individuals should discuss this with their provider.

Malone had heard there is not much research on receiving all three vaccines at the same time.

Holland replied there is no contraindication in the vaccine protocols. Staff are working with long-term care facilities to determine whether vaccinating some or all residents is advisable.

4.2 Northwest Oregon Works (NOW) Update – Heather DeSart, NOW

DeSart requested feedback on the presentation. Funded primarily through the Department of Labor, Workforce Investment Boards (WIBs) help train and employ job seekers. NOW serves Benton, Lincoln, Tillamook, Clatsop, and Columbia Counties. A local elected official is assigned to each WIB; Malone sits on the NOW board.

In the last State legislative session, the Future Ready Oregon investment package approved \$200 million in statewide WIB funding. The Prosperity 10,000 program will receive \$35 million in increments, and WIBs will receive \$10 million Workforce Benefits Navigator Grants. NOW applied for several other grants and helped community organizations apply.

DeSart described NOW program participation and investment for 2022-23 (see presentation). Programs included Prosperity 10,000, Workplace Innovations and Opportunity Act for youth and adults, State Youth Employment Program, Youth Development (YD), and Oregon Youth

Employment Program (OYEP). In total, NOW invested \$304,244,062 and served 113 participants in Benton County.

Youth programs have been very successful. From July to September 2023, NOW enrolled eight Benton County participants in On the Job Training and Individual Training Accounts in partnership with Linn-Benton Community College (LBCC) and College Hill Alternative High School. Through direct service YD grants, NOW worked with school districts and 55 out-of-school youth to pay for General Educational Developmental test preparation materials. NOW provided \$55,000 in combined direct support to youth and wages for Student Success Coaches. Through OYEP, NOW spent \$50,000 on wages for 11 Benton participants in Cooperative Work Experience (CWE). DeSart showed a video in which a participant described the benefits of CWE; Amy Burbee, LBCC CWE faculty chair, also commented on life-changing OYEP funding. Some students have already been offered jobs.

DeSart shared that NOW received a \$750,000 HowToProgram (HTP) grant through Oregon Health Authority to establish a behavioral health program, which was so successful that several Coordinated Care Organizations (CCOs), including Samaritan and Columbia Pacific, have invested to continue the programs. NOW held a behavioral health career fair in September 2023 which had great employer turnout, but needs to be marketed differently to attract younger job-seekers. HTP has 13 Benton County participants and IHN has 8. NOW is working with LBCC on cohorts in phlebotomy and child home care. Gabe Gurule, Corvallis Fire Department, is developing a paramedic/ Emergency Medical Technician training to address the nationwide shortage.

Augerot noted that as 2023 Board Chair for Community Services Consortium, she sees a lot of this work due to the interdependence of funding for employment issues. Seeing the Benton County numbers called out is helpful. Funding for facilitated local partnerships has increased; Augerot was glad to see collaboration with LBCC and Samaritan, which will continue to evolve. Augerot's goal is always 'no wrong door.'

Regarding the \$200 million in State funding, Malone asked about the timetable and whether the funding would continue.

DeSart replied that NOW has through 2026 to spend the one-time funds. Oregon Workforce Partnership (the association of all nine local directors) helped develop Senate Bill 623 to provide an overall evaluation of the public workforce system. NOW wants to continue Prosperity 10,000. Ideally, some of that funding would come from the Governor's permanent biennium budget.

Malone asked where Benton County residents could take Commercial Driver's License (CDL) training.

DeSart will follow up. Currently, Benton residents could get training in Lincoln County.

Wyse asked how often NOW reports to the Board of Commissioners.

DeSart noted that Malone and Clatsop County have requested more frequent updates; staff will try to report quarterly.

Wyse suggested that email updates could also work.

Chair Malone recessed the meeting at 10:04 a.m. and reconvened at 10:09 a.m.

4.3 Plan for Onboarding Incoming County Administrator – Tracy Martineau, Human Resources

Martineau has worked with Lindsey Goodwin (Finance), and Maura Kwiatkowski and Marriah De La Vega (Board’s Office) to set McEneny up with a laptop, keys, permissions, and calendar. The County will hold several meet-and-greet events, starting with a staff reception on October 2, 2023, then probably expand to City Managers and Oregon Cascades West Council of Governments in November 2023. McEneny is connected to Microsoft 365 and will have training through the NEOGOV onboarding portal. McEneny’s initial meetings with department directors will be casual, followed by one-on-one meetings to establish McEneny’s priorities.

Augerot asked if Crager would have a list of ongoing issues to brief McEneny.

Crager replied that he and Martineau will update the list with McEneny. McEneny will also meet with each Commissioner.

Martineau shared previous County Administrator Joe Kerby’s leadership policies with McEneny.

Wyse asked if the introductory meetings would be virtual, or in-person.

Martineau replied there would be virtual options, but in-person is best.

Wyse asked Martineau to prioritize in-person attendance and inform all departments.

McEneny agreed that in-person meetings are preferable when possible.

Malone observed that Kerby took many notes, and recommended a ‘warm handoff,’ making sure that the information (including additions by Interim County Administrators Suzanne Hoffman and Crager) is transferred to McEneny.

Martineau noted that Hoffman and Crager have added to Kerby’s notes.

Crager will prioritize written documentation.

McEneny will create a video travelogue of her cross-country journey to Benton County.

5. Consent Calendar

5.1 Approval of Appointment to the Community Services Consortium Community Action Advisory Council – Order #D2023-071: Vince Adams and Kristi Collins

MOTION: Wyse moved to approve the Consent Calendar of September 19, 2023. Augerot seconded the motion, which carried 3-0.

6. Proclamations

6.1 Proclaiming September 2023 as National Suicide Prevention Month, Proclamation #P2023-016 – Eric Bowling, Health Services

Bowling read the proclamation aloud. Benton County recognizes suicide as a public health issue.

MOTION: Augerot moved to proclaim September 2023 as National Suicide Prevention Month in Benton County, Proclamation #P2023-016. Wyse seconded the motion, which **carried 3-0.**

7. Public Hearing

PH 1 In the Matter of the First Reading of Ordinance 2023-0320 Amending the Benton County Comprehensive Plan and Zoning Map, Regarding the Adair Village Urban Growth Boundary (UGB) – Darren Nichols, Community Development

Chair Malone opened the Public Hearing at 11:01 a.m.

Staff Report

Nichols explained that on September 5, 2023, the Board approved the addition of .12 acre to the Adair Village UGB. Today's Ordinance formally amends the boundary, correcting a mapping error from the 2022 UGB amendment. The supporting documentation appeared in a prior action. The second reading will occur October 3, 2023, and the Ordinance will take effect November 3, 2023.

Public Comment

No comment was offered.

Counsel clarified that it would have been more efficient to continue the Public Hearing on September 5, 2023, then bring the Ordinance back to the continued hearing, rather than holding a another Public Hearing today.

Chair Malone closed the Public Hearing at 11:05 a.m.

MOTION: Augerot moved to enact Ordinance #2023-0320 amending the Adair Village Urban Growth Boundary and to conduct a final reading of the Ordinance. Wyse seconded the motion, which **carried 3-0.**

Counsel performed the first reading. Second reading to be placed on the agenda under Old Business.

8. New Business

8.1 Request to Apply for the Oregon Heritage Grant (OHG) – Jesse Ott, Natural Areas, Parks, and Events; Inga Williams, Community Development

Williams explained this is a biennial State grant to preserve, develop, or interpret Oregon's cultural heritage. Benton County has chosen Fort Hoskins as a cultural resource of statewide significance.

Ott has worked with the Historic Resources Commission (HRC) and Community Development for several months, aiming to give each historic building a job. The County and the Alliance for Recreation and Natural Areas hold an annual event at Fort Hoskins during History Month. Staff propose partnering to hold a Kings Valley day to promote Beazell Memorial Forest, Fort Hoskins, and nearby communities. Ott is talking with Tribes, re-enactors, the Tarweed School, the Kings Valley Community Trust, and others. This grant would help the County produce the

event for 2024, and can be combined with current capital infrastructure projects, such as improving Fort signage or stabilization of the Commander's House. The grant typically awards \$3,000-20,000, so the County General Fund would need to match a minimum of \$3,000. Staff are finalizing the request amount, which will possibly be 50% of \$10,000.

Malone commented this was a good opportunity to showcase County resources and update the facilities.

MOTION: Wyse moved to authorize Natural Areas Parks and Events to apply for the Oregon Heritage Grant. Augerot seconded the motion, which **carried 3-0.**

8.2 *Update from Historic Resources Commission (HRC) – Inga Williams, Community Development; Nancy Taniguchi, Historic Resources Commission Chair

Taniguchi stressed the value of historic preservation. For Historic Preservation Month, HRC will develop a historic presentations and trades program with Northwest Oregon Works, probably in spring 2024. Wallowa County Museum Director Jude Graham will serve as a mentor to help with the five County historic properties. The HRC meets the last Wednesday of the month at 6:30 p.m.

Wyse expressed a love of historic structures, and has been a past liaison to the Corvallis HRC.

Augerot praised the strategic plan and coordination between HRC and Community Development to preserve resources through interpretation and community support.

Taniguchi thanked the Tarweed School. HRC hopes to partner formally with the school.

Malone asked who would be the Board liaison to HRC.

MOTION: Augerot moved to appoint Commissioner Wyse to be liaison to the Historic Resources Commission for Benton County. Malone seconded the motion, which **carried, 3-0.**

{Exhibit 2: Benton County Historic Resources Commission Report}

8.3 Media Relations Policy Update and Approval – Cory Grogan, Public Information Officer

Grogan presented the County's Media Relations & Strategic Communications policy for Board approval. Grogan coordinated updates with the Policy Oversight Committee, presented the policy at a Leadership Team meeting, and posted it for 10-day staff review.

Grogan reviewed changes to the document since the last version:

- Added information about the Public Information Officer (PIO) being responsible for community outreach.
- Updated some information based on the Emergency Manager's guidance about notifications, especially to vulnerable populations.
- Added information on how employees and department directors can coordinate to share successes with the media. Updated best practices for media inquiries. Added a media response schedule (guaranteed response time).

- Added information for employees about how to talk to the media, encouraging employees to coordinate with the PIO first. Added information about when inquiries should be coordinated by the PIO, and how that relates to departments (with exceptions for the Health Department and Sheriff's Office).
- Added information on how Commissioners should comment as individuals.
- Added information on when and how to report disinformation and factual errors, and how to notify the media.
- Included the County's right to refuse media interviews (for instance, if the County does not have a general framework, if the topic would violate legal matters, or the County does not feel the media is approaching the story from an objective angle).
- Media inquiries that require a lot of time to gather information should go through the PIO, then likely to Counsel, as this could require a public records request.
- Minor wording changes at the end about awareness and outreach, branding, advertising, and collateral materials.
- Updates to the photo/video consent policy. Consent is required to use the photo/video of a person under age 18. For a person over 18 in a public space with no reasonable expectation of privacy, the County can use the photo/video for outreach.

Augerot praised the document and asked if this had been posted on the Bee (internal staff website).

Grogan confirmed.

Malone stated it is more critical than ever that the County speak with one voice and that information be clear and correct. It is important to define County policies and make clear to the media how quickly the County can respond to media requests.

Grogan noted that the County values its partnerships with media in order to be transparent and tell the County's story.

Malone noted this aligns with the County website redesign, putting out accurate information and being perceived as a good source of information.

Wyse added that clear expectations on both sides help avoid misunderstandings and continue to build relationships with the County's media partners.

MOTION: Augerot moved to approve the Media Relations and Strategic Communications Policy. Wyse seconded the motion, which **carried 3-0.**

Chair Malone recessed the meeting at 10:51 a.m. and reconvened at 11:00 a.m.

9. Departmental Reports & Requests

9.1 Broadband Action Team (BAT): Update, Funding, and Contract Proposal – Adam Loerts, Information Technology; Rachael Maddock-Hughes, Rural Prosperity Partners (formerly Sequoia Consulting)

Maddock-Hughes explained that the BAT helps the region secure the proportional amount of \$800 million in funding coming to the State. When BAT started, Lincoln County funded the group, then Linn County; BAT has talked for a while about all member counties buying in. Linn, Lincoln, and Lane Counties are onboard with this. This contract would deepen services that

Rural Prosperity Partners (RPP) will provide to BAT and ensure Benton receives the needed funding. In past years, RPP has secured funding for the feasibility study and work by consultant Solarity, advocated on behalf of rural communities, and served as BAT liaison with the Oregon Broadband Office (OBO). The next step is to turn information from the feasibility study into projects. RPP will work with the four member counties to coordinate regional and County-specific projects and develop competitive applications. RPP can also provide additional grant-writing services, monthly reports, or online/social media content. BAT plays an important role in infrastructure rollout and support of Digital Equity and Inclusion.

Maddock-Hughes reviewed upcoming State funding programs:

- The \$6.5 million Broadband Technical Assistance Program (BTAP) from the Universal Service Fund. The opportunity will open in the next two months. RPP recommends that all BATs apply to fund contractors or staff, help secure other funding, receive grant-writing support, and perform rapid design studies (RDS) (which Solarity has already done for this region). The initial contract with the four counties can be partly or completely reimbursed by BTAP in future.
- The \$157 million Broadband Deployment Program (BDP) from American Rescue Plan Act (ARPA) infrastructure funding. Having the RDS will help acquire other funding. Solarity offers a grant tool to compare funding sources and projects.
- The \$688 million Broadband Equity Access and Deployment (BEAD) funding will not be available until late 2024 or early 2025. OBO is still securing budget approvals and developing guidelines.
- The \$50 million Digital Equity Act funding will be available mid-2024, details to be determined. This is for non-infrastructure needs.

The goal of this proposal is for all four counties to support deepened BAT engagement services from RPP, and to advance the projects that will be identified through RDS or feasibility studies.

Loerts explained that each member county is being asked to contribute \$20,000 in the contract. Loerts supports this contract to bridge the next three to nine months until the County has a better idea how to use BTAP funding and the Solarity work is finished. Internet Service Provider (ISP) Pioneer Connect was awarded two United States Department of Agriculture ReConnect grants for broadband expansion. The Solarity tool maps the County's internet speed tests, which, combined with Federal Communications Commission mapping, show how to improve broadband access across the County. Loerts will present the report to the Board soon. Full buildout of fiber to all known gaps would cost about \$50 million. The report will recommend a fraction of that, a mix of fiber and fixed wireless. The County will also need a task force to communicate with ISPs and the public, and to help select projects. RPP will help build those relationships.

Wyse asked if this was a new contract.

Maddock-Hughes replied that RPP currently does not have a BAT contract with Benton; Linn has been paying the cost for the last two years, and Lincoln paid before that. In the new contract, Maddock-Hughes will work for a year with each county, and can apply for BTAP funding to do additional work. There is a three-to-five-year window for broadband funding and infrastructure deployment. Maddock-Hughes has a separate grant-writing contract with Benton.

Wyse asked if RPP had already secured contracts with the other counties.

Maddock-Hughes had done so with Lincoln and Lane Council of Governments, and is in conversations with Linn.

Wyse asked staff if Benton had budgeted for this expense.

Crager replied that matching funds dedicated to the feasibility study were built into the budget.

Augerot felt this was a perfect use of Benton's Economic Development Office lottery funds. It is good to know how the County can be more competitive. Benton has fewer gaps than some counties, but enrichment of service in some places would also be helpful. Augerot supported continuing BAT work.

Malone asked if Counsel had examined the contract.

Counsel replied no, but it will come to him for approval.

Malone stated that more regular BAT reports would be helpful.

Loerts noted that staff await Solarity's final report before presenting to the Board.

Maddock-Hughes explained that the studies will provide more concrete information; then conversation will focus on the role of counties and municipalities in bridging gaps. For public-private partnerships, the easiest approach is for ISPs to ask the County for a letter of support. The middle path is for the County to issue a Request for Qualifications from ISP partners to address gaps, and potentially provide funding (the County would be the applicant). Procurement will depend on whether there are public funds to match. Gap areas are often adjacent to service areas, which suggests potential ISP partners. Responding to a question from Wyse, Maddock-Hughes confirmed that Counsel can still review the contract after the Board approves it.

MOTION: Wyse moved to approve Benton County entering into a contract with Rural Prosperity Partners, LLC to facilitate the Broadband Action Team and assist in leading to quality outcomes of improved internet access for our community with the following costs. The fees for services are: Broadband Action Team (four counties): \$80,000 (\$20,000 from each county, with each county directly contracting with Rural Prosperity Partners). Augerot seconded the motion, which **carried 3-0.**

10. Other

No other business was discussed.

11. Adjournment

Chair Malone adjourned the meeting at 11:33 p.m.

Pat Malone, Chair

Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

**MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS**

Livestream: <http://facebook.com/BentonCoGov>

Tuesday, September 5, 2023

9:00 a.m.

Present: **Pat Malone**, Chair; **Xanthippe Augerot**, Commissioner; **Nancy Wyse**, Commissioner; **Vance Croney**, County Counsel; **Rick Crager**, Interim County Administrator

Staff: **Shannon Bush**, **Darren Nichols**, **Daniel Redick**, Community Development; **Cory Grogan**, Public Information Officer; **April Holland**, **Damien Sands**, Health; **Marilee Hoppner**, **Debbie Sessions**, **Shurisa Steed**, Finance; **Brian Lee**, **Jef Van Arsdall**, Sheriff's Office; **Amanda Makepeace**, BOC Staff; **Joe Mardis**, **Gary Stockhoff**, **Paul Wallsinger**, Public Works; **Erika Milo**, BOC Recorder

Guests: **Paul Bilotta**, City of Corvallis; **Jen Brown**, Sustainability; **Shawn Collins**, Unity Shelter; **John Deuel**, **Ken Eklund**, **Camille Hall**, **Scott Lepman**, **Debbie Palmer**, **Mandy Place**, **Candace Ribera**, **Brian Vandetta**, **John Wilson**, residents; **Ryann Gleason**, CFM Advocates; **Pat Hare**, City of Adair Village; **John Harris**, Horsepower Productions; **Alison Hobgood**, Corvallis Daytime Drop-in Center; **Christopher Jacobs**, **Jerry Sorte**, Corvallis-Benton County Economic Development Office

1. Opening:

1. Call to Order

Chair Malone called the meeting to order at 9:02 a.m.

2. Introductions

3. Announcements

No announcements were made.

2. Review and Approve Agenda

No changes were made to the agenda.

3. Comments from the Public

Shawn Collins, Unity Shelter Executive Director, explained that since June 20, 2023, Unity has operated a combined shelter for men and women in the formerly women's-only Room at the Inn Shelter. Unity has reduced operations at the Hygiene Center, only providing overnight shelter instead of 24/7, and has removed 18 staff members from regular shifts, with many laid off and some on call. This reduced costs considerably, but Unity still seeks more funding. The current shelter has 26 beds for men (down from 50) and 27 for women. Unity received some support from InterCommunity HealthNetwork Coordinated Care Organization, but not enough to sustain full-time operations. Without additional funding, Unity will be unable to operate the shelter through the full winter season, so all programs are at risk. Unity is seeking funding from multiple sources, including House Bill (HB) 5019, and seeks to reopen the shelter and expand women's beds to at least 50. Collins acknowledged the work of the Coordinated Homeless Response Office, which led efforts to respond to HB 5019 funding opportunities. Collins also

acknowledged American Rescue Plan Act (ARPA) funding from Benton County that supported 2022 operations of First Street Commons Shelter and SafePlace transitional housing program. Collins suggested that the planned Emergency Operations Center facility could be used for other purposes between emergencies. Collins noted that County ARPA support for community social services was reduced from \$2.8 million in the previous round to \$200,000. Collins asked about the reduction, and whether funds unspent by previous recipients would be extended or returned for reallocation. During the pandemic, demand for services for those experiencing homelessness and housing instability grew substantially, and remains high. Collins asked the Board to consider re-directing funds to organizations serving unhoused people. Unity is undergoing major changes while determining how to be sustainable going forward.

Debbie Palmer, resident, noted that Nichols recently described Coffin Butte Landfill (CBL) as an asset. Palmer found this concerning and emphasized that CBL is a liability. Palmer asked the Board to listen to non-staff voices. Even in terms of generating funds, CBL is only an asset short-term. A bigger landfill is a bigger liability.

Ken Eklund, resident, Chair of the Disposal Site Advisory Committee (DSAC), asked the Board not to approve the draft Request for Proposals (RFP) for the Sustainable Materials Management Plan (SMMP) today. Eklund stated the draft RFP has two inaccuracies: on draft page 20, Section B, the first two sentences are unclear, using the numbers 99.2% and .06% [see packet page 198]. The Board should ask staff if they double-checked these sentences for accuracy or consulted Department of Environmental Quality (DEQ) staff such as lead report author David Hallaway. Eklund stated that the RFP minimizes climate damage from CBL. Eklund opined that despite the County's planned listening session with the public, staff will pursue their own agenda.

4. Departmental Requests

4.1 Capital Improvement Program (CIP) and American Rescue Plan Act (ARPA) Funds Discussion – *Rick Crager, Interim County Administrator; Gary Stockhoff, Paul Wallsinger, Public Works; Sheriff Jef Van Arsdall, Bryan Lee, Sheriff's Office; Damien Sands, April Holland, Health; Debbie Sessions, Financial Services*

Crager explained that the 2023-2025 Benton County Adopted Budget includes \$7.2 million from the Benton County CIP and ARPA funds. Use of these funds was suspended in February 2023 awaiting the outcome of County Measure 2-140, as well as the 2023-2024 State and Federal legislative process. Funding amounts are now more certain. The County received \$13.8 million from the State Legislature, consisting of an \$8.8 million match for the Courthouse Replacement Project, and a \$5 million match for the Emergency Operations Center (EOC). The EOC has also received \$1.3 million of Federal resources. The County will receive \$3.1 million from Federal appropriations bills which are not allocated yet, but Crager felt there was a good chance of receiving it. This includes funding for Monroe Health Clinic improvements, sewers in the Communities of Alpine and Alesa (combined with current ARPA work for the water service district), and the Regional Public Safety Radio Infrastructure Project.

The County requested \$1.5 million in the measure for Children & Families Services (CFS) space needs. Since the measure failed, this must be addressed soon. The County dedicated \$3 million to the 2023-25 CIP; County Departments submitted \$4.52 million in requests. The County intended to use ARPA funds for grants, as in 2022. Costs for the Courthouse Replacement Project keep increasing. The State legislative request for a Homeless Navigation Center was not funded. Corvallis Daytime Drop-in Center (CDDC) is still seeking funding alternatives.

The County was awarded \$5 million in State lottery-backed bonds, to be received in March 2025, so the County can expend and reimburse itself later. The County also has a \$1 million Congressional delegated spending matching grant which expires September 30, 2024. The County is well positioned to use those funds.

Lee explained that an EOC is a coordination hub for information and resources. During activation, the EOC coordinates first responders, community needs, and County, State, and regional resources. Ongoing recovery after an emergency can take months to years. The EOC is also used for planning activities. Ideally, the new EOC needs to have four to six multi-purpose, multi-use spaces and to accommodate up to 80-100 staff during an emergency. Staff need to be able to stay overnight or longer. During activation, the EOC houses the Joint Information Center, command staff, call center, briefing and breakout spaces, a radio room, and orderly equipment storage. Americans with Disabilities Act (ADA) accessible office space is needed. Parking should have 40-70 spaces.

Three site options under consideration:

- Option 1: The Benton County Fairgrounds.
 - Pros: the County owns the land; the EOC would be co-located with other large event spaces; plenty of parking.
 - Cons: people go to the Fairgrounds during an emergency. Increased cost in utilities and site improvements, transportation issues including underpass flooding, asset security issues, no room for expansion, lack of parking during events, bicycle path impacts, and possible fiscal impacts since the space could not be rented out due to Federal grant restrictions. The location is not close to the Sheriff's Office, Dispatch, or any County operations except the Fair.
- Option 2: Renovate the former Board of Commissioners Office building at 205 Northwest 5th Street, downtown Corvallis. This was explored in depth for the intended Crisis Resource Center.
 - Pros: the County owns the land, good connectivity and utilities, centrally located near the Sheriff's Office and Dispatch.
 - Cons: the two-story building is not ADA-compliant and has no elevator. EOCs must be held to higher building code standards, requiring seismic retrofitting which increases cost and reduces space. The parking lot is very small, there is no room for expansion, and there is no secure storage for trailers and other assets. The footprint does not truly meet EOC needs. It would cost over \$10 million to renovate the building. The building could be used for some other purpose or sold.
- Option 3: Construct a new facility on the north site.
 - Pros: the County owns the land, the building could be customized from scratch, there is space for expansion, plenty of parking, and large multi-use spaces.
 - Cons: the site is not next to the Sheriff's Office, possible transportation issues (though that could change), potential flooding, and other hazards. Site security would be needed. Environmental and Historical Preservation assessments can take up to a year.

Crager stated that Option 3 is probably the best. It is less expensive to construct new than to renovate. Options 2 and 3 would require additional County investment. The Fairgrounds location might cost more than north site development. It is crucial to ensure that all emergency services have offices and to design for the future. Lee, Stockhoff, and Crager preferred Option 3. Cost is hard to pinpoint lately, so Crager used ranges of square footage to estimate cost.

Lee described three workable funding models for Option 3: the north site.

- Model 1: 4,300-5,100 square feet, estimated cost \$6.3 million. This uses current funds, provides just enough office space for staff and very little storage. The multi-use space would be almost 2,200 feet.
- Model 2: 6,100-7,200 square feet, cost up to \$8.8 million. This adds a second conference room and more storage. The office space could be sectioned off for security.
- Model 3: up to 7,400-8,500 square feet, cost up to \$10.4 million. This size considers how much space is used regularly for monthly trainings, quarterly exercises, and emergencies. It would be adequate for almost any activation except COVID-19 (requiring physical distancing). Offices are still small, but storage increases slightly.

Crager explained that the original plan for a new EOC was 8,000 square feet. Model 3 would be a huge upgrade from the current EOC. Next, the Board and the Sheriff choose a location, a rough funding tier is used to focus planning, and a Request for Proposals (RFP) is issued for design and engineering.

Van Arsdall stated that Models 2 or 3 on the north site are ideal.

Regarding Collins's suggestion of using EOC space at non-emergency times, Augerot noted that Emergency Management is already a regional hub for training exercises, so the space will likely be used on a regular basis. Augerot asked if the space might be available at least as a warming/cooling center.

Lee replied the EOC could in theory be used for that purpose, but there are liability and staffing issues for County-operated sites. A warming/cooling center could be placed at the Fairgrounds. Last winter, staff and the Board discussed issues and liabilities of operating such a shelter. This is within EOC allowable parameters, but far from ideal, though a temporary use could work. It is better for a shelter to be more centrally located downtown near other resources. If the space were shared, it would be unavailable if an incident expanded.

Augerot noted that non-profit service providers face the same liability issues and more.

Wyse asked if the liability is the same on the north site as at the Fairgrounds.

Lee confirmed; staffing risks are a bigger problem. There are several models of how different entities operate that type of shelter/center. If facilities responsibility falls on the Sheriff's Office, staff would follow Federal Emergency Management Agency mass care and sheltering best practices, which would be much more costly in terms of staff.

Augerot noted that would also be less flexible.

Wyse asked if there is one model that provides more value to the County over time. Upfront costs are important, but the building should not become quickly outdated.

Crager stated that staff feel Model 3 is by far the best in considering the future. The north site provides the most flexibility for expansion and Model 3 gives the ability to expand.

Wyse and Augerot favored the north site.

Malone emphasized the importance of looking to the future. Model 2 comes close to fitting the budget, with over 70% of funds in hand; matching funds are below 25%. Malone asked if Model 2 could be expanded in future to approach the size of Model 3.

Lee replied that would be desirable; the RFP would include whether the facility is expandable.

Malone favored Model 2, as long as it could be modified. Malone asked about square footage of the current EOC in the Law Enforcement basement.

Lee replied the current space is about 500 square feet, with one closet and a small trailer.

Malone shared that the old BOC Office was small and would require an expensive retrofit that does not suit EOC activities. \$10 million is similar to the estimate for a Mental Health Crisis Center at that location. The north site has space, is close to transit, and has multi-modal paths, so it can be connected to the rest of the area.

Crager expressed confidence in the estimates. The CFS Mental Health Program has outgrown its 3,411 square feet space and needs more space to provide adequate services. The budget includes a large increase for that purpose due to the large increase in community mental health needs. The estimated cost in Measure 2-140 was \$1.5 million. Now costs are rising. Finance spent the last 45 days discussing service needs with Holland and Sands. A revised cost estimate, based on the national average for rehabilitation, is \$350 per square foot (PSF). Facilities recommends \$450 PSF to address code requirements at the Sunset Building. The Oregon State University Extension Service will have to move. ADA and restroom upgrades will cost \$5.3-5.4 million. To mitigate cost before construction, Crager added a 10% contingency, which brings total cost to about \$6 million (best case). There needs to be a larger conversation about countywide Health needs. Investment here would be more of a Phase I approach.

Augerot commented that this reinforces the need for an overall County facilities master plan rather than building ad hoc.

Holland concurred. There is still much to consider on Health Department and Community Health Center space needs. While Behavioral Health's needs could be addressed with a two-year lease, and short session discussions to build funding and planning time, Holland recommended that the County plan longer-term.

Sands noted this discussion is due to pressure points Behavioral Health is experiencing regarding the CFS program. The current location has safety and capacity issues. Sands advocated for a longer-term, more thoughtful approach to the \$20,000, considering how to invest and how it will affect the Health system as a whole. Creative retooling of resources is needed to address immediate staff/client safety issues and waiting lists. Sands thanked Stockhoff and Wallsinger for starting preliminary discussions and solutions in order to buy time.

Malone had asked Wallsinger if the Sunset Building was structurally worth the investment. Wallsinger replied it is a solid asset. As with the Juvenile Department, preventing problems is the goal. The estimate increased from \$1.5 million to almost \$6 million because this is a more accurate estimate with price escalations and a more thoughtful design. Malone favors investing in prevention for long-range results. These programs might receive State help. Multiple funding streams, matching, and partners are needed.

Sands pointed out that the Department of Human Services office across the street from the Sunset Building contributes to a co-location best practices model.

Malone suggested improvements in transportation to and from these services.

Crager discussed 2023-25 CIPs. A CIP Committee reviewed applications to help prioritize. The committee established a maximum funding award of \$500,000 in order to meet multiple needs. Project sponsors were asked if a project could be scaled to that amount in a phased approach. Crager described committee criteria. Projects addressing safety and health issues, greenhouse gas emissions and/or energy efficiency/ sustainability, and direct revenue generation were prioritized. Projects should be shovel-ready and able to be completed in one year.

Results of analysis: three Public Works (PW) projects can be paid with other resources. Two projects (from Community Development (CD) and Natural Areas, Parks & Events (NAPE)) were reduced to \$500,000. The NAPE Jackson-Frazier Boardwalk can be phased; \$500,000 could leverage other funding. CD's permitting system is a one-time expense that would be difficult to scale. Adjustments reduced total requests by \$1,100,500. Individual projects from Assessment, CD, and NAPE updated estimates for a net increase of \$72,000. The total updated estimated need was \$2,874,102 for 32 projects.

Crager showed a list of possible projects (see presentation). Projects were ranked 1-4 based on the criteria. The entire committee supported awarding \$1,752,102 million to priorities 1-3, then revisiting priority 4 projects when there is more funding. Staff suggest delaying five other PW projects. The County may receive Federal funds for the Monroe Health Center, and some of the CIP budget is for improvements to the existing Center. Some Sunset Building renovations are included in the CIP, but others might be deferred.

Augerot praised the presentation and prioritization criteria. Augerot requested details on "State Court Pool Funds" and the "Zero Cut Curb Project" for the Kalapuya Building.

Crager explained that the State Courts requested some funds for small projects that do not fit the scope of normal County facilities projects.

Wallsinger explained that the curb project would change existing four-inch curbs to parking lot height to improve accessibility.

Augerot received a community email about pavement repair on the Martin Luther King, Junior bicycle/pedestrian path, which presents liability issues due to heavy use. Augerot asked if that was on the project list, and why it was not a higher priority.

Stockhoff replied the path is prioritized highly under Surface Preservation. The Road Fund cannot be used for that project.

Augerot asked if the County would transfer that path to the City of Corvallis once it is upgraded.

Stockhoff replied the County will make another attempt. The work may occur in 2024, depending on staff capacity.

Malone thanked Crager and team and stated this was the best CIP process he had experienced, arriving at clearer priorities.

Crager discussed County ARPA grants (see presentation). \$4.2 million were unallocated. Staff surveyed partners. There were 10 respondents with 21 potential projects. Seven received ARPA grants in 2022. Two did not participate last year, and one applied but did not receive funding.

Project needs are estimated at \$5.03 million. The largest category was long-term housing security, totaling \$3.37 million (67.08% of funds). About 56% of funds relate to infrastructure.

Crager discussed 2022 ARPA grant recipients. As of May 2022, there were 19 project grants totaling \$2,685,320. As of June 30, 2023, 10 of 19 fully spent the grants (about 76% of total grants). Four recipients expended less than 50% of the grant; staff are watching those closely. Overall, staff are relatively pleased and projects have been successful.

Steed noted that the 2023 submitted projects provided much data, which staff can provide to the Board. Many requests came in to support homelessness, child/youth activities, and mental health.

Regarding Collins's question about extending previous grants, Augerot asked about the deadline to use up 2022 funds, and whether the funds can change purpose.

Crager replied that current grants have flexibility in expenditure. Funds must be obligated by December 31, 2024. There is no hard deadline for expenditure. Finance has worked with recipients that needed to change budget categories within eligible ARPA uses. Finance informed recipients that there are no guarantees to extend existing grants, and priorities could change.

Augerot noted that the County's ideal was to issue \$6 million in community grants, but at that time there were more CARES/ARPA funds and the prospect of Measure 2-140 passing. It is difficult to not meet community need, but there are many demands for funding.

Malone added the County is addressing community needs that are directly Benton County projects; it was necessary to reset priorities.

Crager shared that the County continues to work with the State to balance the Courthouse Replacement Project in the current budget, discussing ways to reduce costs yet still meet standards and goals. Discussions have gone fairly well. This week the County will meet with the Courts to see if the proposed layout meets the Courts' overall needs. The State has agreed to split site development cost evenly with the County. Soon the County will know the exact elements of the agreement, then discuss whether that is affordable. The County is short about \$1.5-2 million based on current drawings. Ground-breaking was already delayed until March 2024. The project is losing \$200,000 per month in terms of cost inflation; details must be finalized soon.

Malone noted that as the County clarifies the agreement with Oregon Judicial Department, some reserve is needed in case of overrun.

Crager explained that the Homeless Navigation Center (HNC) was in Measure 2-140 and was part of the State legislative request; the County did not receive either resource. Efforts to find other funding and a different location continue. Holland and Crager continue discussions with the City of Corvallis and with Hobgood and CDDC. The State legislature provided \$550,000 for the Historic Courthouse (HCH) boiler and roof. The Board has supported warming/cooling centers, but the County is out of funding for that. Altogether the County has \$90 million of projects, all in the next two to three years. It is important to consider staff capacity.

Staff recommend \$90 million in projects plus continued efforts to fund a jail replacement:

- ARPA \$7.2 million: some must be used for eligible categories, but up to \$10 million is replacement revenue, which can be used for any government purpose. Up to \$2.5 million of categorical ARPA resources could go towards the new EOC at funding Model 2.
- \$1.75 million for Priority 1-3 CIPs using CIP resources.

- \$200,000 in two-year funding for a warming/cooling center using categorical ARPA and CIP resources. There are no other resources currently.
- \$350,000 roof replacement for the HCH using CIP resources.
- \$2.4 million in reserve for the ongoing cost escalation risk of current CIPs, and the need for potential match or commitments to leverage more gap funding. Crager expressed concern about cost escalation and supported legislative opportunities for projects like the CFS remodel.

Augerot favored Crager's recommended plan. Regarding the HCH roof, the State legislature has not put any funds into capital repairs for the last three biennia. The County must take care of its asset, regardless of how the building is used in future; the Courts and District Attorney's Office will be in the building for at least two-to-three more years. A reserve is a good idea to be ready for match funding opportunities, and to support the HNC if another site is found with an immediate need to move forward. The Board will make those decisions judiciously and try to constrain costs. Some contractor labor costs are coming down, so hopefully escalation will not continue as it has for the last several years.

Wyse asked about the urgency on making this decision.

Crager replied there is urgency, particularly for the first round of the EOC, due to a Federal deadline. There is also urgency to avoid more cost escalation and not lose opportunities. CIPs could be delayed, but all are ready to proceed. There is also the seasonal timing for a warming/cooling center.

Wyse asked if the Board must decide today, or could continue discussion this week.

Augerot suggested making a partial decision, going ahead with the EOC, which would allow PW to begin planning for Engineering & Design. Augerot noted that warming/cooling is a huge emphasis for Oregon Health Authority (OHA), but asked if that was an actual mandate. Many counties have developed programs in response to OHA.

Holland replied that OHA has issued some guidance on warming/cooling. OHA emphasizes daytime centers, but not overnight sheltering, whereas the County has been funding severe weather overflow sheltering. County service providers have reduced capacity for emergency non-weather-related sheltering, so demand will be very high. Also, the thresholds where the County activates sheltering are quite cold. This may be a challenging year if there is not additional support for homeless service providers.

Augerot commented that this speaks to the need for some uncommitted funds to meet community need before it becomes a crisis.

Malone agreed about the need for a significant reserve, which provides flexibility to fill gaps as numbers firm up. Malone was comfortable approving the proposal.

Augerot would also prefer to decide today and was comfortable with the proposal, but would like to hear from Wyse.

Wyse stated that all of this work is smart, strategic, and prudent. However, Wyse previously said she wanted to set aside ARPA funds for community needs, so it does not feel good to rescind and not allocate the funds. The plan is solid, but Wyse did not feel good about not doing what she said she would do.

Augerot echoed the concern, but time and context are constantly changing.

MOTION: Augerot moved to allocate \$4,802,102 of current unallocated resources from the 2023-25 budget to be allocated as follows: \$1,752,102 to the Capital Improvement Program to support the recommendation of the CIP Committee; an amount not to exceed \$2,500,000 to provide the gap funding necessary to construct a new Emergency Operation Center on the North Site; \$200,000 to support the ongoing effort of providing a warming and cooling center for the homeless; and \$350,000 for a roof replacement for the Historic Courthouse. Wyse seconded the motion, which **carried 3-0**.

Chair Malone recessed the meeting at 11:10 a.m. and reconvened at 11:21 a.m.

5. Work Session

5.1 Update from Corvallis-Benton County Economic Development Office (EDO) – Jerry Sorte, Christopher Jacobs, Corvallis-Benton County Economic Development Office; Paul Bilotta, Corvallis Community Development Director

Bilotta introduced new EDO Manager Jacobs, and announced that EDO is moving into the Corvallis Community Development Department.

Sorte provided a project summary. In 2022, EDO helped create the Philomath Enterprise Zone, issuing the first approval for an expanding business. EDO is now working with two other Philomath businesses. EDO received \$275,260 of County ARPA funds to fund \$10,000 grants for Benton businesses. Round one will award about 18 grants; round two ends on September 13, 2023. Grants are awarded through a lottery, so applications can be submitted over several weeks. EDO is partnering with Central Willamette Credit Union for that program. Funds should all be distributed by the end of September 2023.

Augerot noted that part of the funding and assistance should be given outside of Corvallis, since downtown development is of interest in all Benton cities.

Bilotta replied that is one of EDO's first priorities. The grant interview panel included people from outside of Corvallis.

Malone expressed disappointment that it took so long to fill the manager position, as some opportunities may have been missed, but hopefully that will change. Malone suggested continuing the past e-bicycle subsidy program with Pacific Power, which had real impact for low-income residents.

Bilotta noted that the City Manager's Office caused the delay, not EDO.

Augerot asked about funds from Senator Sara Gelsler-Blouin for the Food Hub, which residents have inquired about.

Jacobs replied that a draft sub-recipient agreement awaits County signature. An RFP for a gap analysis contractor will be released this month, and a working group was convened to review the plan. Funds should be issued before the June 2024 deadline.

Crager noted the County has approved the sub-recipient agreement.

Malone invited Jacobs to return in six-to-eight weeks with more program specifics and potential future efforts.

6. Consent Calendar

6.1 Appointment to the Corvallis-Benton Economic Development Coalition, Order D2023-069: Todd Nystrom

6.2 Approval of the August 15, 2023 Board Meeting Minutes

6.3 Approval of the August 1, 2023 Board Meeting Minutes

6.4 Approval of the June 27, 2023 Planning Commission Meeting Minutes

6.5 Approval of the July 19, 2022 Special Board Meeting Minutes

MOTION: Augerot moved to approve the Consent Calendar of September 5, 2023. Wyse seconded the motion, which **carried 3-0.**

7. Proclamations

7.1 In the Matter of Proclaiming September as National Preparedness Month, Proclamation P2023-014 – Bryan Lee, Sheriff's Office

Lee read the proclamation aloud.

MOTION: Augerot moved to proclaim September as National Preparedness Month in Benton County, Proclamation P2023-014. Wyse seconded the motion, which **carried 3-0.**

7.2 In the Matter of Proclaiming September 17, 2023, as Constitution Day in Benton County, Proclamation P2023-015 – Board Chair Pat Malone

Malone read the proclamation aloud.

MOTION: Wyse moved to declare September 17, 2023 as Constitution Day in Benton County. Augerot seconded the motion, which **carried 3-0.**

8. *Public Hearing

PH1 In the Matter of a Public Hearing Regarding the Vacation of a Portion of North 20th Place, County Road No. 26632, Resolution #2023- 070 – Joe Mardis, Public Works

Chair Malone opened the Public Hearing at 11:41 a.m.

Staff Report

Mardis explained that the vacation of the end of North 20th Place in the City of Philomath was petitioned by resident Glorietta Bay in order to put in a recreational vehicle park. Bay will receive 40 feet of right-of-way and the McCabe Trust will receive 20 feet. There will be a reservation for all future public utility easements for Philomath, and for all public franchise

utilities. Everything else not dedicated to the vacation goes to the City of Philomath. Mardis will provide documents to Philomath City Manager Chris Bergman so the City can provide a concurrence.

Malone noted that the Board received several community member emails voicing concerns about this process.

Mardis received and addressed those emails. One resident had confused a through road with a road vacation, which means the road is no longer public. This will fit with the resident's desire for a quiet neighborhood. Staff recommend approval of the vacation.

Public Comment

No verbal comment was provided.

Counsel noted that three emails from community members are part of the meeting record (Exhibits 1-3).

Malone shared that the emails were received by the Board on August 18, 2023.

MOTION: Wyse moved, pursuant to ORS 368.326 through 368.341, to vacate a portion of North 20th Place, County Road #26632 as described in order #D2023-070. Augerot seconded the motion, which **carried 3-0.**

Chair Malone closed the Public Hearing at 11:50 a.m.

{**Exhibit 1: Kyle Cupp email**}

{**Exhibit 2: Brent Kaseman email**}

{**Exhibit 3: Genece Cupp email**}

PH2 In the Matter of Amending the Benton County Comprehensive Plan and Zoning Map, Regarding the Adair Village Urban Growth Boundary (UGB), Ordinance 2023-0320 – Pat Depa, Community Development; Pat Hare, Adair Village City Administrator

Chair Malone opened the Public Hearing at 11:50 a.m.

Staff Report

Depa shared that both the Philomath and Benton County Planning Commissions recommend approval. Other than the Oregon Department of Transportation (ODOT), which was also in favor, no input was received. This is essentially a map correction, a sliver of Oregon Department of Fish & Wildlife (ODFW) property along the entire southern border of the right-of-way on Ryals Avenue. This item was missed in the 2022 UGB amendment. The land will be attached to the 42-acre piece adopted earlier this year, to be part of annexation at a later date.

Hare added that staff had placed the sliver on the maps, but did not write the description. This will allow the City of Adair Village to put in a bicycle lane and planting strip, which benefits the County.

Depa added that ODOT was in favor because extending the work on Ryals Road provides a safe off-ramp for bicycles from Highway 99 West.

Public Comment

No comment was provided.

Chair Malone closed the Public Hearing at 11:57 a.m.

MOTION: Augerot moved that the Board of County Commissioners direct staff to prepare an Ordinance to accept the County Planning Commission’s recommendation to approve the Comprehensive Plan amendment and zoning map amendment proposed in legislative file LU-23-029, with the specifications in the packet. Wyse seconded the motion. Wyse asked if it was necessary to add the suggested example ‘inclusion of the .12 acres.’ Counsel replied no, that was included in the packet. The motion **carried 3-0.**

Counsel noted that Community Development will return in two weeks with an ordinance to change the UGB. A second reading will be held two weeks after that, and the ordinance will take effect 30 days later.

9. New Business

**9.1 Letter of Support for Alsea Community Effort and Hope Grange –
*Commissioner Augerot***

Augerot explained that the letter was requested by Alsea resident Camille Chadwick from Alsea Community Effort and Alsea Hope Grange, to support a proposal to T-Mobile for upgrading the grange hall to use for service projects, youth events, and local community meetings. Because Alsea is unincorporated, meeting space is important.

MOTION: Augerot moved to agree to the letter of support for Alsea Community Effort to fund the project to be submitted to the T-Mobile Hometown Grants program. Wyse seconded the motion, which **carried 3-0.**

9.2 Recognition of Service: Pat Depa, Community Development – *Board of Commissioners*

Associate Planner Pat Depa is leaving Benton County to take a position as Senior Planner in the City of Sandy, Oregon. Depa thanked the Board, Planning Commission, and City Managers for creating and supporting this position. Depa helped update the master plans of the Cities of Philomath, Monroe, and Adair Village.

Augerot commented that this position, created in partnership with the small cities, did exactly what the Board intended, aligning code and improving the understanding of joint planning responsibilities for the benefit of Benton communities. Augerot thanked Depa for this work.

Malone thanked Depa on behalf of Benton County for developing this position, helping to standardize codes around the County, and bringing a level of professionalism.

Wyse thanked Depa for his impacts on Benton County and the cities.

10. Old Business

10.1 Sustainable Materials Management Plan (SMMP): Final Draft Request for Proposals (RFP) and Recommended Next Steps – Darren Nichols, Community Development

Nichols thanked Redick and the temporary committee for this final draft, to be issued September 12, 2023. The plan includes a proposed ad hoc committee structure; specific participants are still under discussion. The committee will advise the Board and work with a consulting team and the community to develop the SMMP. There is also a draft committee charge for the group's initial direction and scope of work, and a draft listening session concept.

Redick noted that the only change to the RFP that is not included here is a typo on RFP page 19/ packet page 197, section E, number two: 'and nature of the transit program services,' delete 'transit program.'

Nichols thanked Stockhoff and Counsel for helping with the template.

Regarding Eklund's comment about draft RFP page 20, Augerot noted the statistic is used somewhat differently than in the past, but asked if it is possible to make these definitive statements about greenhouse gas emissions and where those are incurred in the lifecycle of solid waste, based on the 2015 DEQ report. Augerot asked staff to double-check that statistic, so as not to minimize the current impact of landfill emissions.

Redick responded that staff have double-checked; the intention is to call out the real benefits of looking upstream, not to minimize the impacts downstream. A key part of the RFP is recognizing impacts that can be avoided by being more inclusive of other lifecycle phases. DEQ staff have often framed the data this way: 99% of emissions have been upstream from the consumer, 1% happen downstream. This is not an exaggeration or an estimate; it comes from data in the greenhouse gas emissions inventory. Redick was confident in using those statistics in this document.

MOTION 1: Augerot moved to accept the revised Request For Proposals and direct staff to issue the request for proposals broadly with the intent to invite responses from national and international qualified firms and teams. Wyse seconded the motion, which **carried 3-0.**

Augerot commented regarding group membership that the list of governmental agencies includes Benton County, but not the Health Department. Augerot requested Health participation.

Nichols replied that this process will be inclusive of all relevant County departments, including Health, Public Works, the Board's Office, and Sustainability. Details will be determined in the revised scope of work.

Malone asked if others could be added to the group later.

Nichols confirmed; staff will return with a starting group of names. Nichols asked the Board to consider appointing a chair or leader for the effort. Staff would like more time to structure that.

Malone suggested having an executive committee as well as a chair.

Nichols favored the suggestion. Executive committees are best when selected by their peers, so Nichols suggested that the County determine the full group, then determine the best mix for an Executive Committee from that group.

Wyse asked if Augerot's concern had been addressed.

Augerot confirmed. Environmental Health is an important part of the SMMP.

MOTION 2: Augerot moved to accept the proposed committee structure and direct staff to prepare and present to the Board of Commissioners a list of proposed ad hoc committee members consistent with the proposed structure. Wyse seconded the motion, which **carried, 3-0.**

Nichols pointed out that the packet has an explanation of previous County policy, pulling from Solid Waste Advisory Council and Disposal Site Advisory Committee (DSAC) bylaws into a charge for the ad hoc committee. Nichols using this as a starting point for conversations with organizations about potential committee members, so everyone knows what is expected before committing. This is a draft charge.

MOTION 3: Wyse moved to accept the ad hoc Sustainable Materials Management Committee charge and direct staff to draft for Board approval revised DSAC bylaws consistent with the ad hoc Sustainable Materials Management Committee Charge and Oregon Revised Statute 459.325. Wyse further moved to direct staff to schedule monthly DSAC meetings and create meeting agendas to fulfill Benton County's statutory responsibilities in October, November, and December 2023. Augerot seconded the motion.

Augerot asked if the ad hoc committee to be appointed would have bylaws or a charter the Board will approve.

Counsel stated there are no bylaws for an ad hoc committee; the charge functions in place of that. Once there is a more permanent Solid Waste Management Committee, that will have bylaws.

Nichols added that this charge and the scope of work establish members' responsibilities. The Board will consider and approve the scope of work once a contractor is selected.

MOTION 3 carried, 3-0.

Nichols recognized the need for the Board to connect with the community on these issues. Staff have outlined a forum for the Board to listen to the community, including time, location, and agenda. Nichols recommended that the forum be facilitated and focus on constructive community suggestions on how to develop and implement an appropriate SMMP for the County.

Wyse asked who was being considered as a facilitator.

Nichols recommended Oregon Consensus (OC), whose Project Manager Robin Harkless helped facilitate policy dialogue for Senate Bill 582, the Plastic Pollution and Recycling Modernization Act. Topical expertise could help with Benton's conversation. The second option is an affiliated practitioner on OC's list; the third is existing staff. Nichols invited other suggestions.

Wyse asked if the cost of a facilitator had been budgeted.

Nichols replied that the cost for a one-day facilitation is part of the SMMP budget. The County will likely need some specific outside expertise in future, so it would be good to contract a firm.

Malone praised the idea of a facilitated effort and asked if there could be a second session if interest warrants.

Nichols favored the idea. Staff could retain a firm with the understanding that the County might want other advice or additional listening sessions. A few other firms may want to put in a bid. OC would not put in an RFP response. Staff will ask RFP respondents to include this kind of expertise so the County can stay connected to the community as SMMP work unfolds.

MOTION 4: Wyse moved to accept the listening session concept and direct staff to select a facilitator and begin planning the event. Malone seconded the motion, which **carried 2-0**. (Augerot had left the meeting at that time.)

Malone thanked Nichols and team for making good progress on refining the path forward.

11. Other

No other business was discussed.

12. Adjournment

Chair Malone adjourned the meeting at 12:32 p.m.

Pat Malone, Chair

Erika Milo, Recorder

** NOTE: Items denoted with an asterisk do NOT have accompanying written materials in the meeting packet.*

PROCLAMATIONS

**BEFORE THE BOARD OF COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**



In the Matter of Proclaiming October 2023)
The Great Oregon Shakeout) **PROCLAMATION P2023-018**
Month in Benton County)

The threat of the Cascadia Subduction Zone earthquake will greatly affect the entire region including the residents of Benton County, Oregon.

The U.S. Department of Homeland Security and Federal Emergency Management Agency (FEMA) has identified the Cascadia Subduction Zone earthquake as a major national-level threat.

When individuals take responsibility for preparing their families and their communities, the chance of survival and return to normalcy following a disaster is greatly increased.

The Great Oregon ShakeOut was designed to bring awareness of the threat of both crustal and subduction zone earthquakes.

The Benton County Sheriff’s Office – Emergency Management Division partners with federal, state, local, tribal, territorial, private, and volunteer agencies to inform individuals on how to take action, through our public education campaigns, and community exercises.

Residents, businesses, and visitors of Benton County, Oregon are urged to plan ahead for all disasters and encourage their family and their friends to also do so by participating in annual readiness events and drills.

Benton County Emergency Management and the Benton County Emergency Operations Center staff will participate in the National-level Exercise, Iron OR 2024.

NOW, THEREFORE, by the Benton County Board of Commissioners October 2023 as the Great Oregon ShakeOut month, and encourage all community members, businesses and visitors to develop their own emergency preparedness plans and practice basic earthquake safety drills such as “Drop, Cover, and Hold On” on October 19th, at 10:19am PST.

Adopted this 17th day of October, 2023.
Signed this 17th day of October, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner

PUBLIC HEARINGS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 10/17/23

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Community Development

Contact Name * Ron Dettrich

Phone Extension * 6292

Meeting Attendee Name * Ron Dettrich, Darren Nichols

Agenda Item Details

Item Title * Public Hearing Regarding Community Development Inflation Adjustment to 2024 Building Division Fees; Order #D2023-074

Item Involves * Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

Estimated Time * 10 minutes

Board/Committee Involvement * Yes
 No

Advertisement*

- Yes
- No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

Pursuant to ORS 455.210 Benton County Community Development's Building Division proposes to adopt a fee increase for the Electrical, Mechanical and Plumbing specialty codes administered by Benton County. The Building Division program fees for these areas are proposed to be increased by 12%. We propose adjusting our electrical, mechanical and plumbing specialty code fees to closely match the inflation rate since 2021.

Options *

The purpose for the fee increase is to ensure stable permit fee revenues related to funding the County's permitting and building inspection program. The last program fee increase for the Building Division took effect April 1, 2021. The inflation rate as per the Labor Department's consumer price index since that date is 12.6%. The proposed increase of 12% for electrical, plumbing and mechanical permits maintains pace with the inflation index. Benton County's objective is to continue to sustain a fully operational and full-service building department as per ORS 455.153.

Fiscal Impact *

- Yes
 No

Fiscal Impact Description *

The proposed fee increase will result in an approximate 12% increase in fees paid for obtaining electrical, mechanical and plumbing permits and services from the Building Division. The proposed fee increase is not expected to result in any change in the level of service provided, but rather will enable the County to continue to provide current level services at essentially the current cost recovery rate, adjusted for 2021-2023 inflation, in the select service areas.

2040 Thriving Communities Initiative

Mandated Service?* Yes No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Mandated Service Description* If this agenda checklist describes a mandated service or other function, please describe here.

The Building Division is mandated through a Memorandum of Understanding with the State of Oregon, and through intergovernmental agreements with municipal jurisdictions, to provide inspection and plan review services for new and remodeled structures within Benton County's jurisdiction, including rural areas of the county, unincorporated communities, the incorporated communities of Adair Village, Monroe, and Philomath, and on Benton County facilities in the City of Corvallis.

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values* Select all that apply.

- Vibrant, Livable Communities
- Supportive People Resources
- High Quality Environment and Access
- Diverse Economy that Fits
- Community Resilience
- Equity for Everyone
- Health in All Actions
- NA

Explain Core Values Selections* The Building Division provides inspection and plan review services for new and remodeled structures within Benton County's jurisdiction, including rural areas of the county, unincorporated communities, the incorporated communities of Adair Village, Monroe, and Philomath, and on Benton County facilities in the City of Corvallis. Together, the Building Division and Community Development permitting programs provide building safety and protect real estate investments for every member of the community.

Focus Areas and Vision* Select all that apply.

- Community Safety
- Emergency Preparedness
- Outdoor Recreation
- Prosperous Economy
- Environment and Natural Resources
- Mobility and Transportation
- Housing and Growth
- Arts, Entertainment, Culture, and History
- Food and Agriculture
- Lifelong Learning and Education
- NA

**Explain Focus Areas
and Vision
Selection***

The quality and effectiveness of the Building Division's operations directly affects the livability, home values, and safety of private and public structures in Benton County and Benton County communities, as well as the County's Insurance Services Organization (ISO) community insurance rating.

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations* Staff recommends the Board adopt an Order amending Benton County's Building Division 2024 application fees relating to electrical, plumbing, mechanical permits.

Meeting Motions* I move to ...
... adopt Order #D2023-074 amending Benton County's Building Division 2024 application fees relating to electrical, plumbing, mechanical permits.

Recommendations and Motions

Recommendation

Staff recommends the Board adopt an Order amending Benton County's Building Division 2024 application fees relating to electrical, plumbing, mechanical permits.

Motion

I move to ...

... adopt Order #D2023-074 amending Benton County's Building Division 2024 application fees relating to electrical, plumbing, mechanical permits.

Attachments, Comments, and Submission

Item Comments and Attachments






Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

2024 order.pdf	10.37KB
Attachment A - 2024 Fee Updates - BCD Letter.pdf	175.89KB
Attachment B - 2024 Fee Updates MEPs.pdf	324.82KB

Comments (optional) If you have any questions, please call ext.6800

Department Approver DARREN NICHOLS

<p>1. Dept Approval</p> <hr/> <p>Department Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	<p>5.</p> <hr/> <p>BOC Final Approval</p> <hr/> <p>Comments</p> <p>Signature </p>
<p>2.</p> <hr/> <p>Counsel Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>3.</p> <hr/> <p>Finance Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>4.</p> <hr/> <p>County Administrator Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	

**BEFORE THE BENTON COUNTY BOARD OF COMMISSIONS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**

In the Matter of Setting Fees for)
Permits, Inspections, and Services) **Order No. D2023-074**
Provided by the Benton County Community)
Development Department Building Division)

IT APPEARING TO THE BOARD THAT, Benton County Board of Commissioners have the authority to establish Building Division fees under Oregon Revised Statutes (ORS) 455.210; and

THAT the last time the fees were modified in Community Development, Building Division, was April 1, 2021; and

NOW, THEREFORE, IT IS HEREBY ORDERED that Community Development, Building Division, revised fee schedules, as shown on Attachments A and B, respectively, be approved as of January 1, 2024; and

BE IT FURTHER ORDERED that no fee increase will be implemented without Board approval.

Adopted this 17th day of October, 2023.

Signed this 17th day of October, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner

Approved as to Form:

County Counsel



Benton County
Community Development
4500 SW Research Way
Corvallis OR 97333
541-766-6819

August 1, 2023

Building Codes Division
PO Box 14470
Salem OR 97309-0404

Please accept this as notification that Benton County is proposing to amend its fee schedule for all state specialty codes administered locally. The last fee update was approximately 2 years ago on April 1, 2021. This change to the fees is intended to recover the costs of providing inspection and plan review services for Benton County.

Benton County intends to make these fees effective January 1, 2024. This notice is being forwarded to you at least 45 days prior to the adoption date.

A. Affected specialty code or program areas:

The proposed increase will impact all specialty code program areas.

B. Description of the proposed building inspection program fees:

Building program fees are proposed to be increased 12% for Electrical, Mechanical and Plumbing permits.

C. Proposed effective date:

The proposed effective date is January 1, 2024.

D. Date of last fee increase:

The last fee increase for all specialty code and program areas was 2021.

E. Anticipated date, time, and location of the Board of Commissioners hearing:

11:00 a.m. October 17, 2023.

Attend in Person: Board of Commissioners Office, Kalapuya Holmes & Shipley Public Meeting Rooms, 4500 SW Research Way, Corvallis, OR 97333

Zoommeeting: <https://us06web.zoom.us/j/81715200988?pwd=.....aHBGcUhaNTNDRnJmeEtaaVpss1sZz09>; Meeting ID: 817 1520 0988; Passcode: 306559

By Phone: +1253 215 8782; Meeting ID: 817 1520 0988; Passcode: 306559

Or watch on Facebook live at <https://facebook.com/BentonCoGov>

If you would like to testify, submit testimony, or attend the hearing please contact Linda Ray at linda.ray@bentoncountyor.gov at 541-766-6819.

F. Name, phone number, and title of contact person:

Ron Dettrich, Building Official


541-766-6292 or email: ron.dettrich@bentoncountyor.gov

G. Narrative explaining the purpose of the proposed fee adoption:

The purpose for the fee increase is to ensure stable funding through permit fee revenues related to funding our permitting and building inspection program. The increase in our fee calculator brings our fees more in line with our surrounding jurisdictions. Benton County's objective is to sustain a fully operational and full service building department.

If you or any interested parties have any questions regarding the new fee schedule, please contact me at 541-766-6292 or email: ron.dettrich@bentoncountyor.gov

Sincerely,



Ron Dettrich

Building Official

Benton County Building Division

Electrical Fees				
				Proposed Fee Increase 2024
Residential, per unit, service included:	Fees			12% Proposed Increase
1,000 square feet or less	155.25			173.90
Each additional 500 square feet or portion thereof	28.75			32.20
Limited energy log permit purchased w/whole house electrical permit	28.75			32.20
each additional limited energy inspection (1 hour minimum)	74.75			83.75
Limited energy permit when not purchased w/whole house electrical permit	74.75			83.75
each additional limited energy inspection (1 hour minimum)	74.75			83.75
Each manufactured home or modular dwelling service or feeder	74.75			83.75
New Multifamily Electrical				
1st Unit -- Uses New Residential Square Footage for largest unit				
Each additional unit -- 50% of largest unit				
Multi family signaling by floor	74.75			83.75
Multi family limited energy by floor	74.75			83.75
Services or feeders: installation, alteration, relocation				
200 amps or less	92.00			103.05
201 to 400 amps	109.25			122.35
401 to 600 amps	181.70			203.50
601 to 1,000 amps	235.75			264.05
Over 1,000 amps or volts	546.25			611.80
Reconnect only	74.75			83.75
Temporary services or feeders: installation, alteration, relocation				
200 amps or less	74.75			83.75
201 to 400 amps	98.90			110.75
401 to 600 amps	143.75			161.00
Over 600 amps or 1,000 volts	235.75			264.05
Over 1000 amps or volts	546.25			611.80
Branch circuits: new, alteration, extension per panel				
a. Fee for branch circuits with purchase of a service or feeder fee:				
Each branch circuit	5.75			6.45
b. Fee for branch circuits without purchase of a service or feeder fee:				
First branch circuit	74.75			83.75
Each additional branch circuit	5.75			6.45
Miscellaneous fees: service or feeder not included				
Each pump or irrigation circle	74.75			83.75
Each sign or outline lighting	74.75			83.75
Signal circuit or a limited-energy panel, alteration, or extension	74.75			83.75
Hourly rate (number of hours x fee) (\$50 per 1/2 hour)	50.00	1 hr min.		No Change
Each additional inspection	74.75			83.75
Permit re-instatement 50% of original permit	50%			No Change
Permit extension	60.00			No Change
Inspections for which no fee is specifically indicated (\$50 per 1/2 hour)	50.00	1 hr min.		No Change
Inspections outside normal business hrs. (\$50 per 1/2 hour)	50.00	1 hr min.		No Change
Minimum permit fee	74.75			83.75
Plan review, if required: % of permit fee.	25%			No Change
additional plan review (\$50 per 1/2 hour)	50.00	1 hr min.		No Change
Renewable Energy Systems				
Solar 5 kva or less	136.85			153.30
Solar 5.01 to 15 kva	161.00			180.30
Solar 15.01 to 25 kva	265.65			297.55
Solar generation over 25 kva (for each additional over 25 kva)	7.19	Max \$804.90		8.05 Max \$901.30
Wind 25.01 kva through 50 kva	234.60			262.75
Wind 50.01 kva through 100 kva	539.35			604.10
Wind misc fees	50.00	1 hr min.		No Change
Master Electrical Permit Fees				
One time fee	100.00			No Change
Inspections (\$50 per 1/2 hour)	50.00	1 hr. min.		No Change
Electrical Investigation Fee (\$50 per 1/2 hour)	50	1 hr min.		No Change

Mechanical Fees			Proposed Fee Increase 2024
	Fees		12% Proposed Increase
Residential			
Air conditioner	34.50		38.65
Air handling unit of up to 10,000 cfm	34.50		38.65
Air handling unit 10,001 cfm and over	34.50		38.65
Appliance or piece of equipment regulated by code but not classified in other appliance categories	23.00		25.75
Appliance vent installation, relocation or replacement not included in an appliance permit	23.00		25.75
Attic/crawl space fans	23.00		25.75
Barbecue	23.00		25.75
Chimney/liner/flue/vent	34.50		38.65
Clothes dryer exhaust	23.00		25.75
Decorative gas fireplace	34.50		38.65
Evaporative cooler other than portable	34.50		38.65
Floor furnace, including vent	34.50		38.65
Flue vent for water heater or gas fireplace	23.00		25.75
Furnace - greater than 100,000 BTU	34.50		38.65
Furnace - up to 100,000 BTU	34.50		38.65
Furnace/burner including duct work/vent/liner	34.50		38.65
Gas or wood fireplace/insert	34.50		38.65
Gas piping system, new or altered (1 fee for all connections + each appliance)	23.00		25.75
Heat pump	34.50		38.65
Hood served by mechanical exhaust, including ducts for hood	34.50		38.65
Hydronic hot water system	34.50		38.65
Installation or relocation domestic-type incinerator	34.50		38.65
Mini split system	34.50		38.65
Oil tank/gas/diesel generators	23.00		25.75
Pool or spa heater, kiln	34.50		38.65
Radon mitigation	23.00		25.75
Range hood/other kitchen equipment	23.00		25.75
Repair, alteration, or addition to mechanical appliance including installation of controls	23.00		25.75
Suspended heater, recessed wall heater, or floor mounted unit heater	34.50		38.65
Ventilation fan connected to single duct	23.00		25.75
Ventilation system not a portion of heating or air-conditioning system authorized by permit	23.00		25.75
Water heater	92.00		103.05
Wood/pellet stove	34.50		38.65
Other heating/cooling	34.50		38.65
Other fuel appliance	34.50		38.65
Other environment exhaust/ventilation	23.00		25.75
Inspections for which no fee is specifically indicated (\$50 per 1/2 hour, 1 hour minimum)	50.00		No Change
Commercial Mechanical Value of Job			
Valuation		Fee Based on Valuation	
\$1.00 - \$500.00	\$79.55		
\$501 - \$2000.00	(\$79.55 for the first \$500.00) + \$1.90 for each additional \$100.00 or fraction thereof)		
\$2001.00 - \$25,000.00	(\$108.05 for the first \$2000.00) + (\$7.85 for each additional \$1000.00 or fraction thereof)		
\$25,001.00 - \$50,000.00	(\$288.60 for the first \$25,000.00) + (\$5.90 for each additional \$1000.00 or fraction thereof)		
\$50,001.00 - \$100,000.00	(\$436.10 for the first \$50,000.00) + (\$3.90 for each additional \$1000.00 or fraction thereof)		
\$100,001.00 and up	(\$631.10 for the first \$100,000.00) + (\$3.05 for each additional \$1000.00 or fraction thereof)		
Miscellaneous fees			

Re-inspection	100.00			No Change
Specialty requested inspections	100.00			No Change
Inspections outside normal business hrs (\$50 per 1/2 hour, 1 hour minimum)	50.00	min 1 hr		No Change
Each additional inspection	100.00			No Change
Water heater	92.00			103.05
Minimum permit fee	80.00			92.00
Plan review	25%			
additional plan review (\$50 per 1/2 hour, 1 hour minimum)	50.00	min 1 hour		No Change
Seismic review Essential Facilities	10%			No Change
Mechanical Investigation Fee \$50 per 1/2 hour	50.00	min 1 hour		No Change
Permit reinstatement fee	50%	of original permit		No Change
Permit extension fee	60.00			No Change

Miscellaneous Fees			
Special building inspection*	100.00		No Change
Special electrical inspection*	100.00		No Change
Special mechanical inspection*	100.00		No Change
Special plumbing inspection*	100.00		No Change
Special manufactured dwelling inspection*	100.00		No Change
*If inspection fails, must apply for regular permit.			
B&W Copy 8.5 X 11 - Letter, number of pages	0.25		No Change
B&W Copy 8.5 X 14 - Legal, number of pages	0.25		No Change
B&W Copy 11 X 17 - Poster, number of pages	1.00		No Change
Color Copy/Print - all sizes, number of pages	1.00		No Change

Plumbing Permit Fees						2024 Proposed Fee Increase	
						12% Proposed Increase	
New 1 and 2 Family Dwelling							
New 1 & 2 Family Dwelling - includes one kitchen, first 100 feet each of site utilities, hose bibbs, icemakers, underfloor low-point drains, and rain drain packages that include the piping, gutters downspouts, and perimeter system. Half bath counted as whole.							
1 bathroom/1 kitchen					345.00	386.40	
2 bathrooms/1 kitchen					460.00	515.20	
3 bathrooms/ 1 kitchen					575.00	644.00	
Each additional bathroom >3 or kitchen >1					86.25	96.60	
Manufactured Home Utilities					92.00	103.04	
Commercial and Non-New Residential Site Utilities							
Sanitary Sewer - first 100 feet or less					115.00	128.80	
Sanitary Sewer - each additional 100 feet or fraction there of					34.50	38.65	
Storm - first 100 feet or less					115.00	128.80	
Storm - each additional 100 feet or fraction there of					34.50	38.65	
Water - first 100 feet or less					115.00	128.80	
Water - each additional 100 feet or fraction there of					34.50	38.65	
Rain Drain					23.00	25.75	
Fixtures							
Absorption valve					23.00	25.75	
Backflow preventer					23.00	25.75	
Backwater valve					23.00	25.75	
Catch basin or area drain					23.00	25.75	
Clothes washer					23.00	25.75	
Dishwasher					23.00	25.75	
Drinking fountain					23.00	25.75	
Trench drain					23.00	25.75	
Ejectors/sump pump					23.00	25.75	
Expansion tank					23.00	25.75	
Fixture cap					23.00	25.75	
Floor drain/floor sink/tub drain					23.00	25.75	
Garbage disposal					23.00	25.75	
Hose bib					23.00	25.75	
Ice maker					23.00	25.75	
Interceptor/grease trap (commercial)					23.00	25.75	
Primer					23.00	25.75	
Sink/basin/lavatory					23.00	25.75	
Storm water retention/detention tank/facility					92.00	103.05	
Tub/shower/shower pan					23.00	25.75	
Urinal					23.00	25.75	
Water closet					23.00	25.75	
Water heater					23.00	25.75	
other plumbing					23.00	25.75	
Alternate potable water heating system					23.00	25.75	
Medical Gas Piping							
Permit fees based on value of the job and applying the valuation to the structural permit fee table					Value of Job	No Change	
Miscellaneous Fees							

Reinspection fee	100.00			No Change
Each additional inspection	100.00			No Change
Inspections outside normal business hours	\$50 per 1/2 hour, 1 hour min.			No Change
Inspections for which no fee is specifically indicated	\$50 per 1/2 hour, 1 hour min.			No Change
Plumbing investigation fee	\$50 per 1/2 hour, 1 hour min.			No Change
Permit reinstatement	50% of original permit fee			No Change
Plumbing plan review	25% of permit fee			No Change
Additional plan review	\$50 per 1/2 hour, 1 hour min.			No Change
Residential Continuous Loop/Multipurpose Fire Suppression System				
0 to 2,000 square feet	230.00			257.60
2,001 to 3,600 square feet	287.50			322.00
3,601 to 7,200 square feet	373.75			418.60
7,201 square feet and greater	471.50			528.10
Minimum permit fee	92.00			No Change

NEW BUSINESS

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 10/17/23

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Health Services

Contact Name * April Holland

Phone Extension * 6840

Meeting Attendee Name * April Holland

Agenda Item Details

Item Title * Request Letter of Support from BOC for Public Health Reaccreditation

Item Involves *

Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

Estimated Time * 5 minutes

Board/Committee Involvement * Yes No

Advertisement*

Yes

No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

Public Health Accreditation and reaccreditation is performed by the Public Health Accreditation Board (PHAB), a national non-profit organization that is endorsed by leading public health agencies such as the Centers for Disease Control and Prevention and the American Public Health Association.

Public health accreditation is a recognized best practice among public health agencies. Accreditation is an investment that makes communities healthier by:

- Providing evidence-based frameworks for public health-specific programs and services;
- Peer review and technical assistance; and
- Developing a set of performance standards so progress can be measured.

.
Benton County Health Department, first accredited in 2017, is approaching the application and submission window for reaccreditation. Our Quality Improvement Coordinator, Amanda Garcia, and Pilot Light workgroup have been preparing for this application for the past year. We seek your support as the Board of Health in our efforts.

Options *

1. Approve signature on the provided letter of support, without edits.
- .
2. Approve signature on the provided letter of support, with edits.
- .
3. Decline support.

Fiscal Impact *

- Yes
- No

2040 Thriving Communities Initiative

Mandated Service?* Yes No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values*

Select all that apply.

- Vibrant, Livable Communities
- Supportive People Resources
- High Quality Environment and Access
- Diverse Economy that Fits
- Community Resilience
- Equity for Everyone
- Health in All Actions
- N/A

Explain Core Values Selections*

Reaccreditation builds on initial accreditation and is focused on an assessment of an accredited health department's continued improvement and advancement.

Focus Areas and Vision*

Select all that apply.

- Community Safety
- Emergency Preparedness
- Outdoor Recreation
- Prosperous Economy
- Environment and Natural Resources
- Mobility and Transportation
- Housing and Growth
- Arts, Entertainment, Culture, and History
- Food and Agriculture
- Lifelong Learning and Education
- N/A

Explain Focus Areas and Vision Selection*

The goal of reaccreditation is to assist health departments at becoming increasingly effective at improving the health of the population they serve. Health services impact several areas of focus and vision.

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations* Staff recommend that the BOC express support for Benton County Health Department reaccreditation efforts by approving signature of the drafted letter of support to the Public Health Accreditation Board.

Meeting Motions* I move to ...

1. Approve signature on a letter of support to the Public Health Accreditation Board for the Health Department's reaccreditation efforts.
2. Not approve signature on a letter of support to the Public Health Accreditation Board for the Health Department's reaccreditation efforts

Recommendations and Motions

Staff Recommendations:

Staff recommend that the BOC express support for Benton County Health Department reaccreditation efforts by approving signature of the drafted letter of support to the Public Health Accreditation Board.

Meeting Motions:

I move to ...

1-- Approve signature on a letter of support to the Public Health Accreditation Board for the Health Department's reaccreditation efforts.

OR

2-- Not approve signature on a letter of support to the Public Health Accreditation Board for the Health Department's reaccreditation efforts.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

20230928 BOC support letter draft ah.docx






12.4KB

Comments (optional) The letter has not yet been placed on BOC letterhead and does not include signature blocks either.

If you have any questions, please call ext.6800

Department Approver

APRIL HOLLAND

<p>1. Dept Approval</p> <hr/> <p>Department Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	<p>5.</p> <hr/> <p>BOC Final Approval</p> <hr/> <p>Comments</p> <p>Signature </p>
<p>2.</p> <hr/> <p>Counsel Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>3.</p> <hr/> <p>Finance Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>4.</p> <hr/> <p>County Administrator Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	

Date

Dear PHAB Board Members,

Benton County Commissioners are pleased to send this letter of support to accompany the Health Department's application for reaccreditation through the Public Health Accreditation Board. The Board of Commissioners serves as the Local Board of Health for Benton County and is the appointing authority for the Health Department Director.

All persons in Benton County should have access to exceptional public health services. The process of achieving initial public health accreditation in 2017 was an essential step to assure that the capacity and quality of services necessary to address public health needs were addressed. Over the past five years, the Benton County Health Department has continued to advance these efforts in collaboration with multi-sector partners.

Through this letter, we acknowledge the full support of Benton County Health Department's application for public health reaccreditation.

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 10/17/23

View [Agenda Tracker](#)

Suggested Placement * Work Session

Department * Health Services

Contact Name * April Holland

Phone Extension * 6840

Meeting Attendee Name * April Holland, Scott Kruger

Agenda Item Details

Item Title * 2024 Fee Schedule for Environmental Health

Item Involves * Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

Estimated Time * 45 minutes

Board/Committee Involvement * Yes No

Advertisement*

- Yes
 No

Item Issues and Description

Identified Salient Issues*

Year - Adjustment - Note
 2023 - 3%
 2022 - 0%
 2021 - 3% - 50% credit on 2020 license fees
 2020 - 0%
 2019 - 3%
 2018 - 3%
 2017 - 3%
 2016 - 5%
 2015 - 4%
 2014 - 5% - On-site fees flat
 2013 - 5% - Restaurant fees flat
 2012 - 5%
 2011 - 5%
 2010 - 3%

See Attachment B – Justification for Environmental Health Fees 2024 for more detailed information

Options*

- 1) Approve a fee adjustment for 2024 at an average of 13% increase
- 2) Approve a fee adjustment for 2024 at an average of 7% increase
- 3) Approve a fee adjustment for 2024 at an average of 5% increase
- 4) Approve a fee adjustment for 2024 at an average of 3% increase
- 5) Approve the 2024 fee schedule with no adjustments

OR

- 6) Provide Alternative Direction to Staff

Fiscal Impact*

- Yes
- No

Fiscal Impact Description*

See Attachment D - Indirect Cost Calculations 2024 for breakdown of projected fiscal impact scenarios, depending upon the options.

2040 Thriving Communities Initiative

Mandated Service? * Yes
 No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Mandated Service Description * If this agenda checklist describes a mandated service or other function, please describe here.
Oregon Health Authority delegated public drinking water systems, certified family and day care centers, restaurants, school food programs, tourist accommodation, public pools and spas, organizational camps, and recreational parks. Oregon Department of Environmental Quality delegated Onsite wastewater (septic) systems program.

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values * Select all that apply.

- Vibrant, Livable Communities
- Supportive People Resources
- High Quality Environment and Access
- Diverse Economy that Fits
- Community Resilience
- Equity for Everyone
- Health in All Actions
- N/A

Explain Core Values Selections * Environmental Health addresses all of the core values in the course of their work.

Focus Areas and Vision * Select all that apply.

- Community Safety
- Emergency Preparedness
- Outdoor Recreation
- Prosperous Economy
- Environment and Natural Resources
- Mobility and Transportation
- Housing and Growth
- Arts, Entertainment, Culture, and History
- Food and Agriculture
- Lifelong Learning and Education
- N/A

**Explain Focus Areas
and Vision
Selection***

Community Safety: ensure sanitation and safety in public drinking water systems, certified family and day care centers, food service operations, school food programs, tourist accommodation, public pools and spas.

Outdoor Recreation: ensure sanitation and safety at organizational camps and recreational parks.

Environmental and Natural Resources: Onsite wastewater (septic) systems are permanent approaches to treating wastewater for release and reuse in the environment. Onsite systems are recognized as potentially viable, low-cost, long-term, decentralized approaches to wastewater treatment if they are planned, designed, installed, operated, and maintained properly.

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations* Benton County Health Dept staff recommends the Board approve a fee increase of 7%.

Work Session Motions* I move to ...
...recommend a 7% increase in Environmental Health fees, effective 1/1/2024, and encourage Health Dept staff to bring forth an order reflecting as much at a future BOC meeting.

Recommendations and Motions

Recommendation

Benton County Health Dept staff recommends the Board approve a fee increase of 7%.

Motion

I move to ...

...recommend a 7% increase in Environmental Health fees, effective 1/1/2024, and encourage Health Dept staff to bring forth an order reflecting as much at a future BOC meeting.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

Historical Fee Justifications 20230911.xlsx	9.7KB
EH budget 23-25.xlsx	39.73KB
Attachment D - Indirect Cost Calculations 2024 ah 20230906.xlsx	15.68KB
Attachment B - Justification for Environmental Health Fees 2024 20230906 ah.doc	73KB
Attachment A -2024 Fee Schedule AH 20230906.xls	179KB
20230906 BOC EH licensing fees.pptx	447.22KB






Comments (optional)

The original checklist, submitted 9/29, was suspended due to an error forwarding the checklist to the dept approver and I never received an email indicating that. I am hopeful we can still fit into the 10/17 meeting, but if not, we can push back to 10/24.

If you have any questions, please call ext.6800

Department Approver

APRIL HOLLAND

<p>1. Dept Approval</p> <hr/> <p>Department Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	<p>5.</p> <hr/> <p>BOC Final Approval</p> <hr/> <p>Comments</p> <p>Signature </p>
<p>2.</p> <hr/> <p>Counsel Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>3.</p> <hr/> <p>Finance Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>4.</p> <hr/> <p>County Administrator Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	



2024 Environmental Health Fees

Scott Kruger, REHS
EH program interim manager

April Holland, MPH
Public health administrator

October 17, 2023

Background

- **Environmental Health fees are adjusted annually and approved by the Benton County Board of Commissioners**
- **Fees cover a range of activities, from food service, recreational vehicle parks, day cares, organizational camps, public pools and spas, and tourist accommodation license fees to on-site wastewater systems and more**

Context

- **In 2023 fees increased 3%.**
- **No fee adjustments were made in 2022.**
- **In 2021 fees increased 3%.**
 - **A 50% credit on 2020 fees was applied to the 2021 license fees.**

History

Year	Adjustment	Note
2020	3%	
2019	3%	
2018	3%	
2017	3%	
2016	5%	
2015	4%	
2014	5%	On-site fees flat Restaurant fees flat
2013	5%	
2012	5%	
2011	5%	

Process

- EH budget review

	FY 2023-2024	FY 2022-2023	% Change
Salary/Benefits	\$861,316	\$784,996	8.9%
Material/Services	\$437,142	\$427,342	2.2%
Total	\$1,298,458	\$1,212,338	6.6%

Calculations for hourly rate

Total Hours	2080
Holidays	-72
Floating Holidays	-16
Sick Leave	-53
Average Vacation Time	-138
Professional Training	-40
Meetings	-100
Annual Work Hours (AHW)	1,661
Administrative Time	<u>-410</u>
Field hours	1251

(Note: OAR 333-012-0053(4) sets 1640 hrs as the standard)

(Note: 25% based on OAR 333-012-0053(4) AHW of 1640hr)

(Note: OAR 333-012-0053(4) sets 1230 hrs at the standard)

$$4 \text{ REHS} \times 1,251 \text{ hours/year} = 5004 \text{ hours}$$



Full cost recovery

Full Cost Recovery is the total expenses divided by total hours to available to do field work.

Total expenses	\$1,298,316
Total hours for field work	5004
Full cost recovery (hourly rate)	259.48

Legal limitations

- **OAR 333-012-0053(5)(b) “Administrative costs must be limited to 15 percent of direct costs.”**
- **OAR 333-012-0050(2)(a) "Administrative Costs" means those costs that are over the direct costs of providing delegated program services. These include actual departmental, agency or central government charges such as, but not limited to, accounting, purchasing, human resources, data management, legal council and central mail functions;”**
- **Reference: [OAR 333-012-0050](#), and [OAR 333-012-0053](#)**

Adjustment for indirect costs

	001-33-25-530 Environmental Health	Percent of Administrative/ Direct Costs
Total Expenses	1,298,458	
Direct Costs		
Salary/Benefits	\$861,316	
Materials and Supplies	\$181,398	
Total Direct Costs	\$1,042,714	
Administrative Costs		
Central Cost Allocation	\$141,893	14%
Health Department Cost Allocation	\$113,851	11%
Total Administrative Costs	\$255,744	25%
Total Expenses	\$1,298,458	
Minimum General Fund Contribution to Offset Administrative Cost	\$99,337	10%
Revised Administrative Cost @ 15%	\$156,407	15%
Total Expenses - General Fund Contribution	\$1,199,121	
Total Hours Available REHS	5,004	% cost recovery
Hourly Rate / Cost Recovery	\$239.63	92%

Adjustment for indirect costs

- **Using the partial cost recovery model gives us an hourly rate of \$240 per hour**
 - 92% of full costs are recovered
- **Corresponds to a fee increase, on average, of 13% (!!)**
- **County general fund contribution decrease of 33% from 2023, from \$148,000 to \$99,337.**

Adjustment for indirect costs at 88% cost recovery

- **Using the partial cost recovery model gives us an hourly rate of \$228 per hour**
 - 88% of full costs are recovered
- **Corresponds to a fee increase, on average, of 7%**
- **County general fund contribution increase of 6% from 2023, from \$148,000 to \$156,407.**

Scenarios

To adjust fees 13%	
Hourly rate	\$240
Percent recovery of full costs	92%
GF contribution	\$99,337
GF change from 2023	-33%
To adjust fees 7%	
Hourly rate	\$228
Percent recovery of full costs	88%
GF contribution	\$156,407
GF change from 2023	6%

To adjust fees 5%	
Hourly rate	\$224
Percent recovery	86%
GF contribution	\$176,000
GF change from 2023	19%

To adjust fees 3%	
Hourly rate	\$220
Percent recovery of full costs	85%
GF contribution	\$200,000
GF change from 2023	35%

To keep fees same	
Hourly rate	\$213
Percent recovery	79%
GF contribution	\$235,000
GF change from 2023	59%

Fees - examples

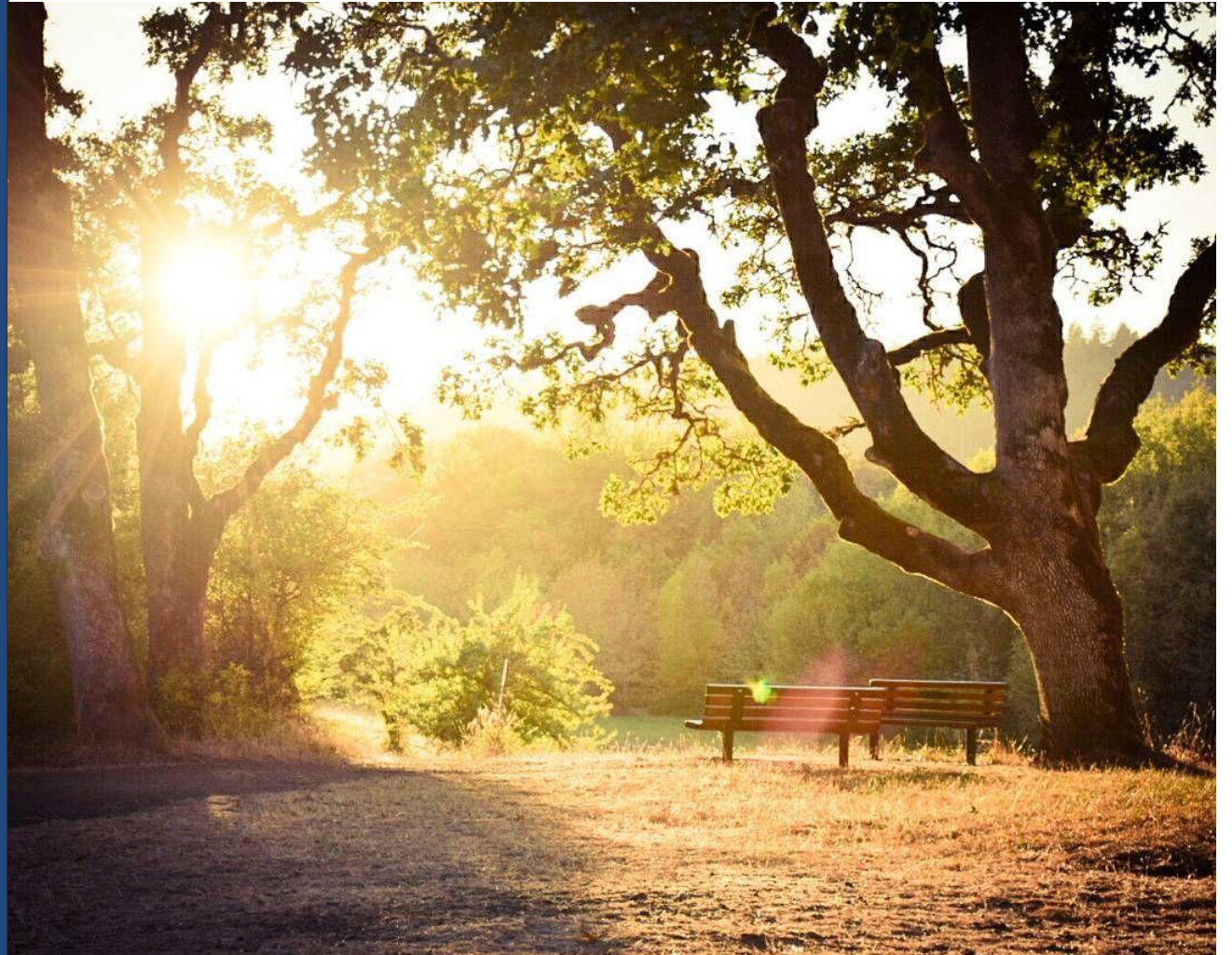
Fees adjusted 13%	
New site septic eval	\$910 - \$1025
Major septic repair, single fam	\$564 - \$636
Restaurant lic, 51-150	\$980 - \$1104
Mobile food unit, class IV	\$351 - \$396
Fees adjusted 7%	
New site septic eval	\$910 - \$974
Major septic repair, single fam	\$564 - \$604
Restaurant lic, 51-150	\$980 - \$1049
Mobile food unit, class IV	\$351 - \$376

Fees adjusted 5%	
New site septic eval	\$910 - \$957
Major septic repair, single fam	\$564 - \$594
	\$980 - \$1030
Restaurant lic, 51-150	\$980 - \$1030
Mobile food unit, class IV	\$351 - \$370
To adjust fees 3%	
New site septic eval	\$910 - \$940
Major septic repair, single fam	\$564 - \$583
	\$980 - \$1012
Restaurant lic, 51-150	\$980 - \$1012
Mobile food unit, class IV	\$351 - \$363

Special fee adjustments

- **Benevolent temporary restaurant fees**
- **3 on-site wastewater fees, including repair fees**
- **Annual evaluation of sand/gravel/alternate filters**
- **DEQ surcharge of \$100**

Thank you!





Fiscal Year 23-25 Status Detail

Print Date: 9/6/2023

Page-106 of 225
 Fiscal Year: **FY 2024: July 2023 -- June 2024** Period: 12 JUN 100.00%

Funds: (001) Divisions: (33) Programs: (All Programs) Cost Centers: (All Cost Centers) Objects: (All Objects)

ADOPTED BUDGET	FISCAL YEAR PERIOD AMT	FISCAL YEAR TO DATE	BUDGET BALANCE	%
				Used/ Rec'd

[Click here to view this item as a spreadsheet](#)

Fund: 001 - GENERAL

Division: 33 - ENVIRONMENTAL HEALTH SERVICES

Program: 25 - HEALTH

Cost Center: 530 - LAND & WATER

REVENUES

CHARGES FOR SERVICE

431100 - MISC REV: CHARGES FOR SERVICE	(5,500.00)	0.00	(646.00)	(4,854.00)	12%
431201 - SALE OF SERVICES/SUPPLIES	0.00	0.00	(15.00)	15.00	0%
432200 - FOOD SERVICE LICENSE	(300,000.00)	0.00	(20,114.00)	(279,886.00)	7%
432210 - FOOD HANDLER CERTIFICATION	(17,000.00)	0.00	(40.00)	(16,960.00)	0%
432215 - SWIMMING POOL & SPA LICENSE	(35,000.00)	0.00	0.00	(35,000.00)	0%
432218 - TOURIST ACCOMMODATION LICENSE	(7,500.00)	0.00	0.00	(7,500.00)	0%
432222 - CARE FACILITIES INSPECTION	(9,500.00)	0.00	(3,035.00)	(6,465.00)	32%
432230 - BLDG PERMIT REVIEW & SIGN OFF	(20,000.00)	0.00	(5,323.00)	(14,677.00)	27%
432250 - SEPTIC PERMIT/SITE REVIEW	(130,000.00)	0.00	(19,079.00)	(110,921.00)	15%
432255 - DEQ SURCHARGE	(12,500.00)	0.00	(2,400.00)	(10,100.00)	19%
461150 - K-12 FOOD SERVICE INSPECTION	(15,000.00)	0.00	(2,590.00)	(12,410.00)	17%
461152 - OSU OFF-CAMPUS INSPECTION	(5,000.00)	0.00	0.00	(5,000.00)	0%
TOTAL CHARGES FOR SERVICE	(557,000.00)	0.00	(53,242.00)	(503,758.00)	10%

OPERATING GRT/CONTR

472709 - OHA PE50 SAFE DRINKING WATER	0.00	0.00	(2,739.62)	2,739.62	0%
473200 - STATE: WATER SYSTEMS (EPA)	(16,800.00)	0.00	0.00	(16,800.00)	0%
482713 - OHA PE50 SAFE DRINKING WATER	0.00	0.00	(4,109.38)	4,109.38	0%
483200 - FEDERAL: WATER SYSTEMS (EPA)	(24,000.00)	0.00	0.00	(24,000.00)	0%
TOTAL OPERATING GRT/CONTR	(40,800.00)	0.00	(6,849.00)	(33,951.00)	17%

TOTAL REVENUES	(597,800.00)	0.00	(60,091.00)	(537,709.00)	10%
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EXPENDITURES

PERSONAL SERVICES

513000 - ADMINISTRATIVE SPECIALIST 1	68,766.00	0.00	11,606.20	57,159.80	17%
548000 - TECHNICAL ANALYST 1	77,889.00	0.00	12,703.25	65,185.75	16%
554000 - TECHNICAL ANALYST 2	180,415.00	0.00	28,243.32	152,171.68	16%
563000 - TECHNICAL ANALYST 3	89,418.00	0.00	15,256.59	74,161.41	17%
567000 - PROGRAM MANAGER 4	107,319.00	0.00	0.00	107,319.00	0%
590000 - TEMPORARY & INTERNS	5,382.00	0.00	67.50	5,314.50	1%
593300 - PAYOUT: VACATION LEAVE	1,250.00	0.00	0.00	1,250.00	0%
595000 - OVERTIME/ON-CALL	2,000.00	0.00	186.15	1,813.85	9%
599000 - EMPLOYEE BENEFITS	358,492.00	0.00	50,644.44	307,847.56	14%
599998 - VACANCY FACTOR	(29,615.00)	0.00	0.00	(29,615.00)	0%
TOTAL PERSONAL SERVICES	861,316.00	0.00	118,707.45	742,608.55	14%

MATERIALS & SERVICES

601000 - MATERIALS & SUPPLIES	7,499.00	0.00	165.79	7,333.21	2%
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Fiscal Year GL Status Detail

Print Date: 9/6/2023

Fiscal Year: **FY 2024: July 2023 -- June 2024** Period: 12 JUN 100.00%
 Funds: (001) Divisions: (33) Programs: (All Programs) Cost Centers: (All Cost Centers) Objects: (All Objects)

[Click here to view this item as a spreadsheet](#)

	ADOPTED BUDGET	FISCAL YEAR PERIOD AMT	FISCAL YEAR TO DATE	BUDGET BALANCE	% Used/ Rec'd
601350 - FOOD PURCHASES	60.00	0.00	0.00	60.00	0%
601500 - SMALL EQUIPMENT PURCHASES	299.00	0.00	0.00	299.00	0%
602000 - COMMUNICATION SERVICES	80.00	0.00	0.00	80.00	0%
604000 - TRAVEL	150.00	0.00	0.00	150.00	0%
606000 - CONTRACTED SERVICES	4,000.00	0.00	0.00	4,000.00	0%
608000 - TRAINING & EDUCATION	9,999.00	0.00	975.00	9,024.00	10%
609000 - REPAIRS & MAINTENANCE	149.00	0.00	0.00	149.00	0%
612000 - REFUNDS	40.00	0.00	0.00	40.00	0%
613000 - ADVERTISING	190.00	0.00	0.00	190.00	0%
614000 - PRINTING & PUBLICATION	599.00	0.00	0.00	599.00	0%
615000 - SUBSCRIPTIONS & PERIODICALS	334.00	0.00	0.00	334.00	0%
616000 - LABORATORY SERVICES & SUPPLIES	1,050.00	0.00	0.00	1,050.00	0%
620000 - MEMBERSHIPS & LICENSING	1,499.00	0.00	0.00	1,499.00	0%
636000 - BANK SERVICE CHARGES	4,999.00	0.00	548.54	4,450.46	11%
681005 - VEHICLE REPLACEMENT PAYMENT	10,200.00	0.00	1,699.72	8,500.28	17%
681010 - CENTRAL COST ALLOCATION	141,893.00	0.00	23,648.84	118,244.16	17%
681012 - DEPT COST ALLOCATION	113,851.00	0.00	18,975.16	94,875.84	17%
681014 - FACILITIES SPACE CHARGE	73,980.00	0.00	12,330.00	61,650.00	17%
681017 - IT DEVICE MAINT/REPLMT CHARGE	5,676.00	0.00	982.00	4,694.00	17%
681018 - CONF RM TECH MAINTENANCE	0.00	0.00	33.00	(33.00)	0%
681020 - WIRELESS SERVICE	3,149.00	0.00	0.00	3,149.00	0%
681090 - COPIER/PRINTER SERVICES	0.00	0.00	28.00	(28.00)	0%
681092 - MAIL/POSTAGE CHARGES	799.00	0.00	15.74	783.26	2%
681211 - FLEET SERVICES: O&M RATE	14,148.00	0.00	2,353.64	11,794.36	17%
681212 - FLEET SERVICES: T&M RATE	0.00	0.00	26.45	(26.45)	0%
690000 - PAYMENT TO OTHER GOVERNMENTS	42,499.00	0.00	0.00	42,499.00	0%
TOTAL MATERIALS & SERVICES	437,142.00	0.00	61,781.88	375,360.12	14%
TOTAL EXPENDITURES	1,298,458.00	0.00	180,489.33	1,117,968.67	14%
Total Cost Center: (Surplus)/ + Deficit - 530 - LAND &	700,658.00	0.00	120,398.33	580,259.67	
Total Division: (Surplus)/ + Deficit - 33 - ENVIRONMENTAL	700,658.00	0.00	120,398.33	580,259.67	
Total Fund: (Surplus)/ + Deficit - 001 - GENERAL	700,658.00	0.00	120,398.33	580,259.67	

Fiscal Year GL Status Detail

Print Date: 9/6/2023

Fiscal Year: **FY 2024: July 2023 -- June 2024** Period: 12 JUN 100.00%
 Funds: (001) Divisions: (33) Programs: (All Programs) Cost Centers: (All Cost Centers) Objects: (All Objects)



	ADOPTED BUDGET	FISCAL YEAR TO DATE	BUDGET BALANCE	% Used/ Rec'd
Grand Total Revenue:	-597,800.00	0.00	(60,091.00)	10%
Grand Total Expense:	1,298,458.00	0.00	1,117,968.67	14%
Grand Total (Surplus) / +Deficit:	700,658.00	0.00	580,259.67	17%



Fiscal Year GL Status Detail

Fiscal Year: FY 2025: July 2024 -- June 2025 Period: 12 JUN 100.00%
 Funds: (001) Divisions: (33) Programs: (All Programs) Cost Centers: (All Cost Centers) Objects: (All Objects)

	ADOPTED BUDGET	FISCAL YEAR PERIOD AMT	FISCAL YEAR TO DATE	BUDGET BALANCE	% Used/ Rec'd
Fund: 001 - GENERAL					
Division: 33 - ENVIRONMENTAL HEALTH SERVICES					
Program: 25 - HEALTH					
Cost Center: 530 - LAND & WATER					
Click here to view this item as a spreadsheet					
REVENUES					
CHARGES FOR SERVICE					
431100 - MISC REV: CHARGES FOR SERVICE	(5,500.00)	0.00	0.00	(5,500.00)	0%
432200 - FOOD SERVICE LICENSE	(300,000.00)	0.00	0.00	(300,000.00)	0%
432210 - FOOD HANDLER CERTIFICATION	(17,000.00)	0.00	0.00	(17,000.00)	0%
432215 - SWIMMING POOL & SPA LICENSE	(35,000.00)	0.00	0.00	(35,000.00)	0%
432218 - TOURIST ACCOMMODATION LICENSE	(7,500.00)	0.00	0.00	(7,500.00)	0%
432222 - CARE FACILITIES INSPECTION	(9,500.00)	0.00	0.00	(9,500.00)	0%
432230 - BLDG PERMIT REVIEW & SIGN OFF	(20,000.00)	0.00	0.00	(20,000.00)	0%
432250 - SEPTIC PERMIT/SITE REVIEW	(130,000.00)	0.00	0.00	(130,000.00)	0%
432255 - DEQ SURCHARGE	(12,500.00)	0.00	0.00	(12,500.00)	0%
461150 - K-12 FOOD SERVICE INSPECTION	(15,000.00)	0.00	0.00	(15,000.00)	0%
461152 - OSU OFF-CAMPUS INSPECTION	(5,000.00)	0.00	0.00	(5,000.00)	0%
TOTAL CHARGES FOR SERVICE	(557,000.00)	0.00	0.00	(557,000.00)	0%
OPERATING GRT/CONTR					
473200 - STATE: WATER SYSTEMS (EPA)	(16,800.00)	0.00	0.00	(16,800.00)	0%
483200 - FEDERAL: WATER SYSTEMS (EPA)	(24,000.00)	0.00	0.00	(24,000.00)	0%
TOTAL OPERATING GRT/CONTR	(40,800.00)	0.00	0.00	(40,800.00)	0%
TOTAL REVENUES	(597,800.00)	0.00	0.00	(597,800.00)	0%

EXPENDITURES					
PERSONAL SERVICES					
513000 - ADMINISTRATIVE SPECIALIST 1	72,414.00	0.00	0.00	72,414.00	0%
548000 - TECHNICAL ANALYST 1	82,021.00	0.00	0.00	82,021.00	0%
554000 - TECHNICAL ANALYST 2	189,986.00	0.00	0.00	189,986.00	0%
563000 - TECHNICAL ANALYST 3	94,161.00	0.00	0.00	94,161.00	0%
567000 - PROGRAM MANAGER 4	110,539.00	0.00	0.00	110,539.00	0%
590000 - TEMPORARY & INTERNS	5,383.00	0.00	0.00	5,383.00	0%
593300 - PAYOUT: VACATION LEAVE	1,250.00	0.00	0.00	1,250.00	0%
595000 - OVERTIME/ON-CALL	2,000.00	0.00	0.00	2,000.00	0%
599000 - EMPLOYEE BENEFITS	380,590.00	0.00	0.00	380,590.00	0%
599998 - VACANCY FACTOR	(29,616.00)	0.00	0.00	(29,616.00)	0%
TOTAL PERSONAL SERVICES	908,728.00	0.00	0.00	908,728.00	0%
MATERIALS & SERVICES					
601000 - MATERIALS & SUPPLIES	7,501.00	0.00	0.00	7,501.00	0%
601350 - FOOD PURCHASES	60.00	0.00	0.00	60.00	0%
601500 - SMALL EQUIPMENT PURCHASES	301.00	0.00	0.00	301.00	0%
602000 - COMMUNICATION SERVICES	80.00	0.00	0.00	80.00	0%
604000 - TRAVEL	150.00	0.00	0.00	150.00	0%
606000 - CONTRACTED SERVICES	4,000.00	0.00	0.00	4,000.00	0%
608000 - TRAINING & EDUCATION	10,001.00	0.00	0.00	10,001.00	0%
609000 - REPAIRS & MAINTENANCE	151.00	0.00	0.00	151.00	0%
612000 - REFUNDS	40.00	0.00	0.00	40.00	0%
613000 - ADVERTISING	190.00	0.00	0.00	190.00	0%

614000 - PRINTING & PUBLICATION	601.00	0.00	0.00	601.00	0%
615000 - SUBSCRIPTIONS & PERIODICALS	336.00	0.00	0.00	336.00	0%
616000 - LABORATORY SERVICES & SUPPLIES	1,050.00	0.00	0.00	1,050.00	0%
620000 - MEMBERSHIPS & LICENSING	1,501.00	0.00	0.00	1,501.00	0%
636000 - BANK SERVICE CHARGES	5,001.00	0.00	0.00	5,001.00	0%
681005 - VEHICLE REPLACEMENT PAYMENT	10,200.00	0.00	0.00	10,200.00	0%
681010 - CENTRAL COST ALLOCATION	141,893.00	0.00	0.00	141,893.00	0%
681012 - DEPT COST ALLOCATION	113,851.00	0.00	0.00	113,851.00	0%
681014 - FACILITIES SPACE CHARGE	73,980.00	0.00	0.00	73,980.00	0%
681017 - IT DEVICE MAINT/REPLMT CHARGE	5,676.00	0.00	0.00	5,676.00	0%
681020 - WIRELESS SERVICE	3,151.00	0.00	0.00	3,151.00	0%
681092 - MAIL/POSTAGE CHARGES	801.00	0.00	0.00	801.00	0%
681211 - FLEET SERVICES: O&M RATE	14,148.00	0.00	0.00	14,148.00	0%
690000 - PAYMENT TO OTHER GOVERNMENTS	42,501.00	0.00	0.00	42,501.00	0%
TOTAL MATERIALS & SERVICES	437,164.00	0.00	0.00	437,164.00	0%
TOTAL EXPENDITURES	1,345,892.00	0.00	0.00	1,345,892.00	0%
Total Cost Center: (Surplus)/ + Deficit - 530 - LAND &	748,092.00	0.00	0.00	748,092.00	
Total Division: (Surplus)/ + Deficit - 33 - ENVIRONMENTAL	748,092.00	0.00	0.00	748,092.00	
Total Fund: (Surplus)/ + Deficit - 001 - GENERAL	748,092.00	0.00	0.00	748,092.00	

Fiscal Year GL Status Detail

Print Date: 9/6/2023



Fiscal Year: FY 2025: July 2024 -- June 2025 Period: 12 JUN 100.00%
 Funds: (001) Divisions: (33) Programs: (All Programs) Cost Centers: (All Cost Centers) Objects: (All Objects)

	ADOPTED BUDGET	FISCAL YEAR TO DATE	BUDGET BALANCE	% Used/ Rec'd
Grand Total Revenue:	0.00	0.00	(597,800.00)	0%
Grand Total Expense:	0.00	0.00	1,345,892.00	0%
Grand Total (Surplus) / +Deficit:	0.00	0.00	748,092.00	0%

BENTON COUNTY HEALTH DEPARTMENT
 ENVIRONMENTAL HEALTH PROGRAM
 2024 FEE SCHEDULE
 EH Fees are effective January 1, 2024

	2023	2024	% Change	Assumptions	Est Workload	Estimated Fee Support	Estimated General Fund Support	Estimated Total Revenue	2023 Partial Cost Hourly Rate	Proposed Partial Cost Hourly Rate
									\$213.00	\$228.00
	Current	Proposed							Last Year Full Cost Hourly Rate	Proposed Full Cost Hourly Rate
									\$242.00	\$259.00
New Site Evaluation										
Single Family Dwelling										
First lot	\$910	\$974	7%	4.2 hours based on 2008 BCEH Time Study. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	26	\$ 25,320.86	\$ 3,442.75	\$28,764		
Each additional lot (evaluated during initial visit)	\$910	\$974	7%	4.2 hours based on 2008 BCEH Time Study. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.		\$ -	\$ -	\$0		
Commercial Facility System										
For first 1000 gallons projected daily sewage flow	\$910	\$974	7%	4.2 hours based on 2008 BCEH Time Study. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	0	\$ -	\$ -	\$0		
PLUS for each additional 500 gallons, or part thereof, above 1,000 gallons	\$234	\$251	7%	Estimated 1.1 hours						
Construction-Installation Permit										
<i>For first 1000 gallons projected daily sewage flow:</i>										
Standard On-site System	\$1,308	\$1,401	7%	5.3 hours based on 2008 BCEH Time Study for Standard On-Site System. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	14	\$ 19,607.50	\$ 2,665.93	\$22,273		
Alternative System										
Alternative Treatment Technology	\$1,955	\$2,092	7%	New work delegated in 2006. 6.8 hours based on similar work with cap and fill, pressure distribution, sand filter, and tile dewatering. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	7	\$ 14,645.85	\$ 1,990.84	\$16,637		
Capping Fill	\$1,955	\$2,092	7%	Cap and Fill System 6.8 hours. Based on 1993 Time Study. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	2	\$ 4,184.53	\$ 568.95	\$4,753		
Disposal Trenches in Saprillite	\$1,308	\$1,401	7%	5.3 hours based on 2008 BCEH Time Study for Standard On-Site System. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	0	\$ -	\$ -	\$0		
Gray Water Waste Disposal Sump	\$696	\$638	7%	Estimated 2.8 hrs	0	\$ -	\$ -	\$0		
Holding tanks	\$1,022	\$1,094	7%	Assumption based on estimate of 4.8 hour was lowered in 2018. New work delegated by state in 2006.	1	\$ 1,094.40	\$ 148.80	\$1,243		
Pressure Distribution	\$1,955	\$2,092	7%	Pressure distribution system 6.8 hours. Based on 1993 Time Study. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	0	\$ -	\$ -	\$0		
Redundant	\$1,308	\$1,401	7%	5.3 hours based on 2008 BCEH Time Study for Standard On-Site System. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	0	\$ -	\$ -	\$0		
Sand Filter	\$1,955	\$2,092	7%	Sand filter system 6.8 hours. Based on 1993 Time Study. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	0	\$ -	\$ -	\$0		
Seepage Trench	\$1,308	\$1,401	7%	5.3 hours based on 2008 BCEH Time Study for Standard On-Site System. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	0	\$ -	\$ -	\$0		
Steep Slope	\$1,308	\$1,401	7%	5.3 hours based on 2008 BCEH Time Study for Standard On-Site System. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	0	\$ -	\$ -	\$0		
Tile Dewatering	\$1,955	\$2,092	7%	6.8 hrs. Based on 1993 Time Study. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	0	\$ -	\$ -	\$0		
PLUS for each additional 500 gallons, or part thereof	\$128	\$137	7%	Estimated 0.6 hrs to review and consult with DEQ on larger system designs.						
Reinspection Fee - In accordance with OAR 340-071-0170(4), an agent may require an owner to pay the reinspection fee when a pre-cover inspection correction notice requires correction of improper construction and, at a subsequent inspection, the agent finds system construction deficiencies have not been corrected.										
	\$362	\$388	7%	Estimated 1.7 hrs to reinspect, prepare report or correction notice and consult with DEQ						
Permit Transfer, Reinstatement, or Renewal										
If field visit required	\$704	\$754	7%	Permit renewal with field visit 2.3 hrs based on Estimated Time for DEQ Activities for Western region for 2000. Includes travel and inspection time, plus time to prepare report or DEQ correction notice. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	0	\$ -	\$ -	\$0		
If no field visit required	\$198	\$212	7%	Permit renewal without field visit 0.7 hrs based on Estimated Time for DEQ Activities for Western region for 2000. Includes time to review files plus time to prepare report. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	3	\$ 635.37	\$ 86.39	\$722		
Alteration Permit										
Major Alteration	\$1,280	\$1,371	7%	Alteration with field visit 4.3 hrs based on Estimated Time for DEQ Activities for Western region for 2000. Includes travel and inspection time, plus time to prepare report or DEQ correction notice. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	13	\$ 17,817.79	\$ 2,422.59	\$20,240		
Minor Alteration	\$707	\$756	7%	Alteration without field visit 2.2 hrs based on Estimated Time for DEQ Activities for Western region for 2000. Includes travel and inspection time, plus time to prepare report or DEQ correction notice. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	3	\$ 2,269.24	\$ 308.54	\$2,578		
Repair Permit										
Single Family Dwelling										

Major Repair	\$564	\$604	7%	Major repair with field visit 5.3 hrs based on based on 2008 BCEH Time Study. Includes travel and inspection time, plus time to prepare report or DEQ correction notice. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	19	\$ 11,479.80	\$ 1,560.85	\$13,041
Minor Repair	\$320	\$342	7%	Minor repair with field visit 3.0 hrs based on 2008 BCEH Time Study. Includes travel and inspection time, plus time to prepare report or DEQ correction notice. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	6	\$ 2,052.00	\$ 279.00	\$2,331
Commercial Facility								
Major Repairs	\$564	\$604	7%	Major repair with field visit 5.3 hrs based on based on 2008 BCEH Time Study. Includes travel and inspection time, plus time to prepare report or DEQ correction notice. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.		\$ -	\$ -	\$0
Minor Repairs	\$320	\$342	7%	Minor repair with field visit 3.0 hrs based on 2008 BCEH Time Study. Includes travel and inspection time, plus time to prepare report or DEQ correction notice. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.		\$ -	\$ -	\$0
Authorization Notice								
If field visit is required	\$707	\$756	7%	Authorization Notice with field visit 3.1 hrs based on 2008 BCEH Time Study. Includes travel and inspection time, plus time to prepare report or DEQ correction notice. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	25	\$ 18,906.90	\$ 2,570.68	\$21,478
If field visit is not required	\$213	\$228	7%	Authorization Notice without field visit 1.0 hrs based on Estimated Time for DEQ Activities for Western region for 2000. Includes time to review application, prepare report or DEQ correction notice.	7	\$ 1,596.00	\$ 217.00	\$1,813
Existing System Evaluation								
Existing System Evaluation:								
If Field Visit is Required	\$706	\$756	7%	Same as Authorization Notice with field visit 3.0 hrs based on Estimated Time for DEQ Activities for Western region for 2000. Includes travel and inspection time, plus time to prepare report or DEQ correction notice. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	0	\$ -	\$ -	\$0
If Field Visit is Not Required	\$213	\$228	7%	Same as Authorization Notice without field visit 1.0 hrs based on Estimated Time for DEQ Activities for Western region for 2000. Includes time to review application, prepare report or DEQ correction notice. Note: Primarily but not limited to land partitions.	1	\$ 228.00	\$ 31.00	\$259
Mobile Home Personal/Medical Hardships Renewal every 5 years with field visit	\$320	\$342	7%	Based on Authorization Notice with field visit 3.0 hrs based on Estimated Time for DEQ Activities for Western region for 2000. Includes travel and inspection time, plus time to prepare report or DEQ correction notice. In 2010 a coefficient was added to the formula to help offset Major and Minor repairs, and Medical hardship by 50%.	4	\$ 1,368.00	\$ 186.00	\$1,554
Mobile Home Personal/Medical Hardships Renewal every 5 years without field visit	\$107	\$114	7%	Estimate of time to perform an Authorization Notice without field visit at 0.5 hrs. Includes time to prepare report or DEQ correction notice.	3	\$ 342.00	\$ 46.50	\$389
Alternative System Inspections (where required)	\$469	\$502	7%	Annual inspection as may be required under DEQ rules OAR340-071-0260(2) for alternative systems. Estimated time based on Annual Inspections with field visit 2.2 hrs based on Estimated Time for DEQ Activities for Western region for 2000. Includes travel and inspection time, plus time to prepare report or DEQ correction notice.	1	\$ 501.60	\$ 68.20	\$570
Alternative System Inspections - Holding Tanks	\$533	\$570		New work delegated in 2006. Estimated inspection time is 2.5 hrs with and includes travel and inspection time, plus time to prepare report or DEQ correction notice. Note: Fee we could charge if we do not receive a timely annual inspection report or if the annual inspection report is deficient, or if we have reason to suspect the holding tank is not being properly maintained.		\$ -	\$ -	\$0
Annual Report Evaluation Fee Holding Tank	\$53	\$57	7%	New work delegated in 2006. Estimated 15 minutes of work.	28	\$ 1,596.00	\$ 217.00	\$1,813
Annual Report Evaluation Fee for commercial sandfilter, recirculating gravel filters and alternative treatment technologies				New work delegated in 2006. Reports required under OAR 340-071-0345(14)(b)(E). Estimated 20 minutes of work. A coefficient was added to the time study formula to adjust the fee to match DEQ's fee	210			
Sewage Disposal Service								
Pumper Truck Inspection, each vehicle	\$168	\$180	7%	Pumper Truck Inspection based on Annual Inspections with field visit 0.5 hrs based on Estimated Time for DEQ Activities for Western region for 2000. Includes inspection time, plus time to prepare report or DEQ correction notice. Additional 15 minutes added for travel time.	0	\$ -	\$ -	\$0
pumper Truck Inspection, each additional vehicle	\$116	\$124	7%	Pumper Truck Inspection based on Annual Inspections with field visit 0.5 hrs based on Estimated Time for DEQ Activities for Western region for 2000. Includes travel and inspection time, plus time to prepare report or DEQ correction notice.	0	\$ -	\$ -	\$0
Plan Review								
Other Onsite Wastewater System Plan/Construction Permit Reviews: including but not limited to vaulted privies, or other construction not otherwise covered by a fee. Hourly rate	\$213	\$228	7%		0	\$ -	\$ -	\$0
Plan Review, each additional 15 minutes.	\$53	\$57	7%		0	\$ -	\$ -	\$0
Plan Review Commercial Facility System								
For a system with a projected daily sewage flow of less than 600 gallons, the cost of plan review is included in the permit application fee.								
For a system with a projected daily sewage flow of 600 gallons, but not more than 1000 gallons	\$490	\$524	7%	Commercial Plan review fee for systems from 600 to 1000 gpd. Estimated additional 2.3 hours above work performed as part of Construction-installation Permit per OAR 340-071-0140(3)(d)	0	\$ -	\$ -	\$0
PLUS for each additional 500 gallons, or part thereof, above 1000 gallons, to a maximum of 2500	\$85	\$91	7%	Commercial Plan review fee for systems from 1000 to 25000 gpd. For each 500 gallons or part thereof above 1000 gpd. Estimated additional 0.4 hours above work performed as part of Construction-installation Permit per OAR 340-071-0140(3)(d)(C)	0	\$ -	\$ -	\$0

Building Signoff	\$85	\$91	7%	Building signoff estimated at 0.4 hrs	270	\$ 24,624.00	\$ 3,348.00	\$27,972
Pump evaluation fee for sandfilters, alternative treatment technology, recirculation gravel filter, and pressurized distribution systems	\$85	\$91	7%	Systems utilizing pumps other than sandfilters and pressure systems estimated at 0.4 hrs.	0	\$ -	\$ -	\$0
Record Search								
Record Search if part of an onsite application	No Charge	No Charge						
Record Search if not part of an onsite application. Rate assessed at 10 minute increments	\$17	\$18	7%	New fee in 2015: Based on 10 minutes of work. Fee discounted by 50% if support staff are able to complete.. Usually involves record searches for onsite program or compiling information on inspection histories for food establishments. Note: potential revenue source if we begin charging for all record searchers.	419	\$ 7,642.56	\$ 1,039.12	\$8,682
DEQ Remittance - Remittance to DEQ is a fee established under state statute designed to support the State's Onsite Waste Water Treatment Program. The state fee is an additional charge established by state rule and assessed on site evaluations, construction installation permits, permit renewals, alterations, repairs, and authorizations listed above. In accordance with Oregon Administrative Rule (OAR) 340-071-0140(9) Department surcharge. (a) To offset a portion of the administrative and program oversight costs of the statewide onsite wastewater management program, the department and contract counties must levy a surcharge for each site evaluation, report permit, and other activity for which an application is required in this division. This surcharge does not apply to sewage disposal service license applications, pumper truck inspections, annual report evaluation fees, or certification of installers or maintenance providers. (b) Proceeds from surcharges collected by the department and contract counties must be accounted for separately. Each contract county must forward the proceeds to the department in accordance with its agreement with the department.	Current DEQ Surcharge/ Remittance of \$100 is collected as an add on fee to permits. Should DEQ increase the remittance this cost will be passed on in the permit	Current DEQ Surcharge/ Remittance of \$100 is collected as an add on fee to permits. Should DEQ increase the remittance this cost will be passed on in the permit	Should DEQ increase their remittance to us, this cost will be passed on in the permit		0	\$ -	\$ -	\$0
WATER SYSTEM FEES					Total	\$ 155,912.40	\$ 21,198.14	\$177,111
System Evaluation/Sanitary Survey on Domestic Water Supply (samples not included)	\$266	\$285	7%	Estimated 1.25 hrs.	0	\$ -	\$ -	\$0
Water Supply System Plan Review								
Private Water System (one to three residential units)								
Spring Development (includes one site visit)	\$554	\$593	7%	Estimated 2.6 hours Includes travel and inspection time, plus time to prepare report.	0	\$ -	\$ -	\$0
Auxiliary Storage for Low Yield Wells (other than standard design)	\$266	\$285	7%	Estimated 1.25 hours Includes travel and inspection time, plus time to prepare report.	0	\$ -	\$ -	\$0
Other Plan Review and Consultation per hour	\$213	\$228	7%	Hourly rate that includes salary, benefit, supervision, cost allocation for vehicle, office, computer, legal and support services.	0	\$ -	\$0.00	\$0
					Total	\$ -	\$ -	\$0
LICENSED FACILITIES² (See footnote 2 below.)								
Food Service Operations								
Restaurant License (annual license fee due December 31)								
Limited Service	\$639	\$684	7%	License fee based on 2 inspections at 1.5 hour/inspection. Calculated based on OAR 333-012-0050(2)(b)(B)(i)(I). Hr rate x 2 inspections x 1.5 hr/inspection = fee	3	\$ 2,052.00	\$ 279.00	\$2,331
0 - 15 Seating	\$767	\$821	7%	License fee based on 2 inspections at 1.5 hour/inspection and 40% follow-up inspection rate per semi annual inspection with 0.75 hour/inspection (travel time for each inspection included). Calculated based on OAR 333-012-0050(2)(b)(B)(i)(I) and (ii). (Hr rate x 2 inspections x 1.5 hrs/inspection) + (Hr rate x 2 inspections x 0.75 hrs/follow-up inspection x 0.4 follow-up rate) = fee	54	\$ 44,323.20	\$ 6,026.40	\$50,350
16 - 50 Seating	\$873	\$935	7%	License fee based on 2 inspections at 1.75 hour/inspection and 40% follow-up inspection rate per semi annual inspection with 0.75 hour/inspection (travel time for each inspection included). Calculated based on OAR 333-012-0050(2)(b)(B)(i)(I) and (ii). Calculated based on OAR 333-012-0050(2)(b)(B)(i)(II) and (ii). (Hr rate x 2 inspections x 1.75 hrs/inspection) + (Hr rate x 2 inspections x 0.75 hrs/follow-up inspection x 0.4 follow-up rate) = fee	82	\$ 76,653.60	\$ 9,151.20	\$85,805
51 - 150 Seating	\$980	\$1,049	7%	License fee based on 2 inspections at 2.0 hour/inspection and 40% follow-up inspection rate per semi annual inspection with 0.75 hour/inspection (travel time for each inspection included). Calculated based on OAR 333-012-0050(2)(b)(B)(i)(I) and (ii). Calculated based on OAR 333-012-0050(2)(b)(B)(i)(III) and (ii). (Hr rate x 2 inspections x 2.0 hrs/inspection) + (Hr rate x 2 inspections x 0.75 hrs/follow-up inspection x 0.4 follow-up rate) = fee	105	\$ 110,124.00	\$ 11,718.00	\$121,842
151 + Seating	\$1,193	\$1,277	7%	License fee based on 2 inspections at 2.5 hour/inspection and 40% follow-up inspection rate per semi annual inspection with 0.75 hour/inspection (travel time for each inspection included). Calculated based on OAR 333-012-0050(2)(b)(B)(i)(I) and (ii). (Hr rate x 2.0 inspections x 2.5 hrs/inspection) + (Hr rate x 2 inspections x 0.75 hrs/follow-up inspection x 0.4 follow-up rate) = fee	22	\$ 28,089.60	\$ 2,455.20	\$30,545
Benevolent Restaurants	\$414	\$443	7%	Reduced fee for benevolent restaurants per ORS 624.490(3). 54% Fee/ 46% CURF for 0-15 seating, 47% Fee/53% CURF for 16-50 seating, 42% Fee/58% CURF for seating 51-150, and 35% Fee/65% CURF for 151+ seating	7	\$ 3,102.62	\$2,642.98	\$5,746
Required Follow-up Inspections Subsequent to Routine Inspections								
First two follow-up inspection after a routine food restaurant inspection no additional charge					89			
Each Additional Follow-up Inspection	\$160	\$171	7%	First two follow-up inspections annually are covered under the license fee, each additional follow-up inspection is calculated at .75 hour/inspection based on OAR 333-012-0050(2)(b)(B)(ii).	0	\$ -	\$ -	\$0
Temporary Restaurant								

Benevolent Single-event, per event (Administrative Fee) ³ (See footnote 3 below) Administrative Fee is waived after first three events.	\$43	\$46	7%	Administrative fee covers the cost of processing paper work at 15 minutes. As per ORS 625.028(c) no inspection fee is charged. County General Revenue pays for the cost of performing the inspection. ORS 624.086 (3) All single-event temporary restaurant licenses shall terminate 30 days after issuance unless within the 30 days the single-event temporary restaurant is discontinued or is moved from the specific location for which the license was issued. If within 30 days after issuance the single-event temporary restaurant is discontinued or moved from the specific location for which the license was issued, the license shall terminate upon the discontinuance or the removal.	127	\$ 5,791.20	\$ 20,523	\$26,314
Single-event, per event (License Fee) ^{3&4} (Discounted if received 10 or more days before the event)	\$192	\$205	7%	License fee based on 1 inspection at 0.9-hour for/inspection, travel time, menu review, and data processing (travel time for each inspection included). (Hr rate x 1 inspection x 0.9 hrs/inspection) = fee	184	\$ 37,756.80	\$ 5,133.60	\$42,890
Single-event, per event (License Fee) ^{3&4} (No Discount if received less than 10 days before the event)	\$222	\$235	6%	License fee based on 1 inspection at 0.9-hour for/inspection, travel time, menu review, and data processing (travel time for each inspection included). (Hr rate x 1 inspection x 0.9 hrs/inspection + fee for less than 10 days notice) = fee				
Single-event, per event (License Fee) (Operating without a License on the day of the event)	\$292	\$305	5%	License fee based on 1 inspection at 0.9-hour for/inspection, travel time, menu review, and data processing (travel time for each inspection included). (Hr rate x 1 inspection x 0.9 hrs/inspection + Penalty for operating without a license) = fee				
Single-event 2 or more days, 30-day intermittent, and 90-day seasonal (License Fee) ^{3&4} (Discounted if received 10 or more days before the event)	\$230	\$246	7%	HB 2868 established two new categories of temporary restaurant license, that included 90-day seasonal and 30-day intermittent temporary restaurant license. These new license categories will become effective on January 1st 2012. License fee based on 1 inspection at 0.9-hour for/inspection, travel time, menu review, and data processing (travel time for each inspection included) and a 20% follow-up inspection rate throughout the course of the multi-day event (travel time for each inspection included). (Hr rate x 1 inspection x 0.9 hrs/inspection) + (Hr rate x 1 inspections x 0.9 hrs/follow-up inspection x 0.2 follow-up rate) = fee	0	\$ -	\$ -	\$0
Single-event 2 or more days, 30-day intermittent, and 90-day seasonal (License Fee) ^{3&4} (No Discount if received less than 10 days before the event)	\$260	\$276	6%	HB 2868 established two new categories of temporary restaurant license, that included 90-day seasonal and 30-day intermittent temporary restaurant license. These new license categories will become effective on January 1st 2012. License fee based on 1 inspection at 0.9-hour for/inspection, travel time, menu review, and data processing (travel time for each inspection included) and a 20% follow-up inspection rate throughout the course of the multi-day event (travel time for each inspection included). (Hr rate x 1 inspection x 0.9 hrs/inspection) + (Hr rate x 1 inspections x 0.9 hrs/follow-up inspection x 0.2 follow-up rate) = fee				
Single event 2 or more days, 30-day intermittent, and 90-day seasonal (License Fee) ^{3&4} (Operating without a License on the day of the event)	\$330	\$346	5%	HB 2868 established two new categories of temporary restaurant license, that included 90-day seasonal and 30-day intermittent temporary restaurant license. These new license categories will become effective on January 1st 2012. License fee based on 1 inspection at 0.9-hour for/inspection, travel time, menu review, and data processing (travel time for each inspection included) and a 20% follow-up inspection rate throughout the course of the multi-day event (travel time for each inspection included). (Hr rate x 1 inspection x 0.9 hrs/inspection) + (Hr rate x 1 inspections x 0.9 hrs/follow-up inspection x 0.2 follow-up rate) = fee				
Operation Review for 30-day Intermittent or 90 day Seasonal or Temporary Restaurant License	\$107	\$114	7%	HB 2868 established two new categories of temporary restaurant license, that included 90-day seasonal and 30-day intermittent temporary restaurant license. These new license categories become effective on January 1st 2012. HB 2868 also mandated an operational review for these new license types. Operation review is based on an Oregon Health Authority Work Group estimate of 1.0 hour. Estimate could be adjusted based on future time studies.	0	\$ -	\$ -	\$0
Reinspection Fee: for 30-day intermittent or 90-day seasonal Temporary Restaurant to verify correction of critical violation	\$160	\$171	7%	HB 2868: OHA work group recommendation that a separate reinspection fee be charged to verify that critical violations are corrected. Each additional follow-up inspection is estimated at .75 hour/inspection.	0	\$ -	\$ -	\$0
* License fees in this section include an amount for reimbursement to the Oregon Health Division pursuant to ORS								
**ORS 624 does not allow a license fee or inspection fee for benevolent. The administrative fee covers cost of clerical								
Commissary License, per year								
Separate Facility	\$469	\$502	7%	License fee based on 2 inspections annually, at 0.8 hour/inspection and a 40% follow-up rate with 0.75 hour/inspection (travel time for each inspection included). (Hr rate x 2 inspection x 0.8 hrs/inspection) + (Hr rate x 2 inspections x 0.75 hrs/follow-up inspection x 0.4 follow-up rate) = fee	7	\$ 3,511.20	\$ 477.40	\$3,989
In a Licensed Food Service Facility	\$341	\$365	7%	Commissary fee discounted when a food establishment is also being used by a second party as a commissary. License fee based on 2 inspections annually, at 0.8 hour/inspection (travel time for each inspection included). (Hr rate x 2 inspection x 0.8 hrs/inspection) = fee	0	\$ -	\$ -	\$0
Food Warehouse, per year	\$320	\$342	7%	License fee based on 2 inspections annually, at 0.75 hour/inspection and no follow-up inspections (travel time for each inspection included). (Hr rate x 2 inspection x 0.75 hrs/inspection) = fee	2	\$ 684.00	\$ 93.00	\$777
Mobile Unit, per year								
Class I, II and III	\$320	\$342	7%	License fee based on 2 inspections annually, at 0.75 hour/inspection and no follow-up inspections (travel time for each inspection included). (Hr rate x 2 inspection x 0.75 hrs/inspection) = fee	13	\$ 4,446.00	\$ 604.50	\$5,051
Class IV	\$351	\$376	7%	License fee based on 2 inspections annually, at 0.75 hour/inspection and 10% follow-up inspections (travel time for each inspection included). (Hr rate x 2 inspection x 0.75 hrs/inspection) +(Hr rate x 2 inspection x 0.75 hrs/inspection x 0.10 follow-up rate) = fee	16	\$ 6,019.20	\$ 818.40	\$6,838

With Food Service	\$533	\$570	7%	Plan review fee assessed on an organizational camp with food service and is based on 2.5 hour/plan review and no follow-up inspections (travel time for each inspection included). (Hr rate x 1 plan review x 2.5 hrs/plan review) = fee. Assumption is based on completed plans with all support materials submitted. Incomplete plans or plans that are changed by the developer may require a higher fee.	0	\$ -	\$ -	\$0
Without Food Service	\$213	\$228	7%	Plan review fee based on 1 plan review, at 1 hour/plan review and no follow-up inspections (travel time included). (Hr rate x 1 Plan review x 1 hrs/plan review) = fee. Assumption is based on completed plans with all support materials submitted. Incomplete plans or plans that are changed by the developer may require a higher fee.	0	\$ -	\$ -	\$0
Total						\$ 912.00	\$ 124.00	\$1,036
Picnic Park								
License Fee	\$213	\$228	7%	License fee based on 1 inspections annually, at 1 hour/inspection and no follow-up inspections (travel time for each inspection included). (Hr rate x 1 inspection x 1 hrs/inspection) = fee	2	\$ 456.00	\$ 62.00	\$518
Plan Review Fee	\$213	\$228	7%	Plan review fee based on 1 plan review, at 1 hour/plan review and no follow-up inspections (travel time included). (Hr rate x 1 Plan review x 1 hrs/plan review) = fee. Assumption is based on completed plans with all support materials submitted. Incomplete plans or plans that are changed by the developer may require a higher fee.		\$ -		
Total						\$ 456.00	\$ 62.00	\$518
Swimming Pools/Spa/Bathhouse								
License Fee								
Year Around Operation								
First Pool or Spa at Site	\$746	\$798	7%	License fee based on 2 inspections at 1.45 hour/inspection and 40% follow-up inspection rate per semi annual inspection with 0.75 hour/inspection (travel time for each inspection included). (Hr rate x 2 inspections x 1.45 hrs/inspection) + (Hr rate x 2 inspections x 0.75 hrs/follow-up inspection x 0.40% follow-up rate) = fee	29	\$ 23,142.00	\$ 3,146.50	\$26,289
Additional Pools or Spas at Site (each)	\$567	\$606	7%	License fee based on 2 inspections at 1.03 hour/inspection and 40% follow-up inspection rate per semi annual inspection with 0.75 hour/inspection (travel time for each inspection included). (Hr rate x 2 inspections x 1.03 hrs/inspection) + (Hr rate x 2 inspections x 0.75 hrs/follow-up inspection x 0.40% follow-up rate) = fee	0	\$ -	\$ -	\$0
Seasonal Operation								
First Pool at Site	\$501	\$536	7%	License fee based on 1 inspection at 2.05 hour/inspection and 40% follow-up inspection rate per semi annual inspection with 0.75 hour/inspection (travel time for each inspection included). (Hr rate x 1 inspection x 2.05 hrs/inspection) + (Hr rate x 1 inspection x 0.75 hrs/follow-up inspection x 0.40% follow-up rate) = fee	41	\$ 21,967.80	\$ 2,986.85	\$24,955
Additional Pools at Site (each)	\$383	\$410	7%	License fee based on 1 inspection at 1.50 hour/inspection and 40% follow-up inspection rate per semi annual inspection with 0.75 hour/inspection (travel time for each inspection included). (Hr rate x 1 inspection x 1.50 hrs/inspection) + (Hr rate x 1 inspections x 0.75 hrs/follow-up inspection x 0.40% follow-up rate) = fee	0	\$ -	\$ -	\$0
Follow-up Inspections								
First Follow-up Inspection after a routine inspection no additional charge								
Each Additional Follow-up Inspection	\$107	\$114	7%	Estimated 30 minutes inspection and travel time included.	14			
Plan Review Fee								
Plan Review, Minimum (up to two hours)	\$426	\$456	7%	Plan review fee based on 1 plan review, at 2 hour/plan review and no follow-up inspections (travel time included). (Hr rate x 1 Plan review x 2 hrs/plan review) = fee. Assumption is based on completed plans with all support materials submitted. Incomplete plans or plans that are changed by the developer may require a higher fee.				
Plan Review, Each additional 15 minutes	\$53	\$57	7%	Additional charge typically assessed when plan review take longer because of incomplete plans or when two or more changes are made by the developer that result in the total time exceeding 2 hrs. Based on each increment of 0.25 hrs.				
Construction Permit								
(includes two 1-hr construction inspections)	\$426	\$456	7%	Construction Permit fee based on 2 construction site inspections at 1 hour/construction site visit and no follow-up inspections (travel time included). (Hr rate x 2 construction site inspections x 1 hrs/construction site visit) = fee.				
Additional Construction Inspections								
3rd and 4th and subsequent, including final (each)	\$213	\$228	7%	Construction Permit fee based on 1 construction site inspections at 1 hour/construction site visit and no follow-up inspections (travel time included). (Hr rate x 1 construction site inspections x 1 hrs/construction site visit) = fee.				
Total						\$ 45,109.80	\$ 6,133.35	\$51,243
Reinstatement Fee and Penalties for Later Renewal								
Reinstatement Fee if not received by December 31	\$100	\$100	0%	Reinstatement Fee set under ORS 624.490(2)				
Penalty for Late Payment (Percentage of Annual Fee)								
If not received by January 31 - If the operator has not paid both the reinstatement fee and license fee by January 31st (post mark accepted), the reinstatement fee plus an additional penalty fee of 50% of the annual license fee will be assessed on the first day of each succeeding month until the license is reinstated or the facility is closed.								
				Late fee permitted under OAR 333-012-053(8)				
Adjustments to License Fees								
Food establishments opened from								
January 1 - September 30 - 100% of fee								
October 1 - December 31 - 50% of fee								
Adding or Dropping a Partner	\$53	\$57	7%	Based on an estimate of 0.25 hrs of work.				
Change of Business Name, same owners	\$53	\$57	7%	Based on an estimate of 0.25 hrs of work.				
Quarterly Inspection Fees - 50% of annual license fee								
SCHOOL FOOD SERVICE INSPECTIONS								
High School and/or Central Kitchen	\$426	\$456	7%	Fee based on 1 inspection at 2.0 hour/inspection (travel time for each inspection included).	0	\$ -	\$ -	\$0
Elementary and Middle School with On-Site Preparation	\$341	\$365	7%	Fee based on 1 inspection at 1.6 hour/inspection (travel time for each inspection included).	0	\$ -	\$ -	\$0
Satellite Kitchen (with little or no preparation)	\$160	\$171	7%	Fee based on 1 inspection at 0.75 hour/inspection (travel time for each inspection included).	0	\$ -	\$ -	\$0
Recheck Inspections								
First Follow-up Inspection no additional charge	No Charge	No Charge						
Additional Follow-up Inspections	\$107	\$114	7%	Fee based on 0.5 hrs of inspection with travel time included.				

				Total	\$	-	\$	-	\$0	\$0
CARE FACILITY INSPECTIONS										
Each inspection by Authorized Capacity										
0 - 12 and After School Care Program	\$160	\$171	7%	8	\$	1,368.00	\$	186.00	\$1,554	
13 - 30	\$213	\$228	7%	39	\$	8,892.00	\$	1,209.00	\$10,101	
31 +	\$266	\$285	7%	0	\$	-	\$	-	\$0	
Plan Review										
Plan Review, Minimum (up to two hours)	\$426	\$456	7%	0	\$	-	\$	-	\$0	
Plan Review, Each additional 15 minutes	\$53	\$57	7%							
				Total	\$	10,260.00	\$	1,395.00	\$11,655	\$11,655
SPECIAL CONSULTATION FEE										
First 15 minutes Free	No Charge	No Charge								
Each Additional 15 minutes (Support Staff)	\$43	\$46	7%							
Each Additional 15 minutes (Environmental Health Specialist)	\$53	\$65	22%							
Partial Cost Recovery Rate Per hour (Environmental Health Specialist)	\$213	\$228	7%							
Full Cost Recovery Rate Per hour (Environmental Health Specialist)	\$242	\$259	7%							
SUPPLIES										
Food Handler Booklets	\$3	\$3	0%							
Test Strips - Chlorine (Bailey) 1 vial (100 count)	\$4	\$4	0%							
Test Strips - Quats QT-10 (Bailey) 1 vial (100 count)	\$7	\$7	0%							
Thermometer - Pocket Bi-Metal	\$4	\$4	0%							
Thermometer - Spirit Stem	\$3	\$3	0%							
Supplies sold to consumer	Cost + 15% of cost for handling rounded up to the next whole dollar+ shipping	Cost + 15% of cost for handling rounded up to the next whole dollar+ shipping								
* Fees for tourist accommodations and seasonal facilities normally inspected once per year are not prorated.										
Fees may be changed if supply costs change or if state regulations change the allowable charge(s).										
				Grand Total	\$	559,607.37	\$	92,150.81	\$651,739	\$651,739.03

2024 JUSTIFICATION FOR ENVIRONMENTAL HEALTH FEES

Date: October 17, 2023

From: Scott Kruger, REHS and April Holland, MPH

Subject: 2024 Justification for Environmental Health Fees

Projected Expenses for Fiscal Year (FY) 2024

	FY 2023-2024	FY 2022-2023	% Change
Salary/Benefits	\$861,316	\$784,996	8.9%
Material/Services	\$437,142	\$427,342	2.2%
Total	\$1,298,458	\$1,212,338	6.6%

Background

Fee History for the last three years:

- In 2023, fees were adjusted on average 3%.
- In 2022, no fee adjustments were made.
- In 2021 fees were adjusted on average 3%. A 50% pandemic credit on the 2020 was applied to the 2021 license fees.

Projection for 2024, Environmental Health Division’s budget is projected to experience a 6.6% increase (\$1,298,458/\$1,212,338) FY2024/FY2023.

What are the Legal Limits to Fee Setting for the Restaurant Industry in Oregon Administrative Rule (OAR)?

- OAR 333-012-0053(5)(b) “*Administrative costs must be limited to 15 percent of direct costs.*”
- OAR 333-012-0050(2)(a) “*Administrative Costs*” means those costs that are over the direct costs of providing delegated program services. These include actual departmental, agency or central government charges such as, but not limited to, accounting, purchasing, human resources, data management, legal council and central mail functions;”
- OAR 333-012-0050(2)(f) provides guidance on what may be charged as direct costs, “*Direct Costs*” mean those costs for salaries and benefits of field and support staff and their associated costs including, but not limited to, rent, vehicles and travel, equipment, data management, training, phone, office supplies and the pro-rated portion of direct costs relating to supervision;
- Reference: [OAR 333-012-0050](#), and [OAR 333-012-0053](#)

2024 JUSTIFICATION FOR ENVIRONMENTAL HEALTH FEES**How is the Hourly Rate Calculated?**

Hourly rate is based on the total field time that is available for Environmental Health Specialists to do work divided by the projected budget. Field time is the hours available for work after an adjustment is made for holidays, sick leave, vacation, administrative time, and training as follows:

Total Hours	2080
Holidays	- 72
Floating Holidays	- 16
Sick Leave	- 53 ¹
Average Vacation Time	-138 ²
Professional Training	- 40 ³
Meetings	- 100 ⁴
Annual Work Hours (AHW)	1,661 (Note: OAR 333-012-0053(4) sets 1640 hrs as the standard)
Administrative Time	-410 ⁵ (Note: 25% based on OAR 333-012-0053(4) AHW of 1640 hrs)
Field	1251 (Note: OAR 333-012-0053(4) sets 1230 hrs at the standard)

4.0 field environmental health specialist x 1,251 hours/year = 5004 hours

Full Cost Recovery:

Full Cost Recovery is the total expenses divided by total hours to available to do field work. Full cost recovery = \$1,298,458/5004 hours = \$259.48 per hour.

Partial Cost Recovery Model:

Hourly rate is calculated by dividing the total expenses that includes County and Department Cost Allocations up to 15%. Any County and Department Cost Allocations above 15% will be covered by County General Funds. The remainder is then divided by the number of hours available to do work. This rate will then be used to calculate fees.

The Department Cost Allocation for FY 2024 will be offset using \$156,407 of budgeted County General Funds: \$1,298,458 - \$156,407 = \$1,142,051. The adjusted cost per hour used for calculating fees is \$1,142,051/5004 hours = \$228.23 per hour. Fees will recover 88% (\$228.23 per hour/\$259.48 per hour) of full costs. This model will also meet legal requirements that fees cannot pass on more than 15% of administrative costs as defined in OAR 333-012-0053(5)(b).

How is the Hourly Rate Used?

The hourly rate is used to calculate the cost of license fees by multiplying the average number of hours by each license or permit type, times the hourly rate. The average number of hours is based on

¹ Average sick time reported for 1/01/2018 to 12/31/2018 based on 277/5.2 FTE = 53 hours per person.

² Average Vacation Time = 551/4 = 138 Hours (Last Revised 8/12/2019)

³ Professional training to maintain licensing as a Registered Environmental Health Specialist, plus various other county and state mandatory trainings.

⁴ Quarterly combined Health Department/Health Services All Staff Meetings 8 hours, Safety and Health Department mandatory meetings 20 hours + Bi-monthly staff meetings 72 hours = 100 hours

⁵ Administrative time to return phone calls, schedule work, fuel vehicles, etc. On Average approximately 1.6 hours per day.

2024 JUSTIFICATION FOR ENVIRONMENTAL HEALTH FEES

requirements found under Oregon Revised Statute (ORS) 624, Oregon Administrative Rule (OAR) 333-012, time studies, or estimates. All fees are then rounded to the nearest whole dollar.

Other Fee Adjustments:

General Fund/CURF Subsidies for Benevolent Food Facilities:

Historically, the Board of Commissioners (BOC) has approved a portion of the county general fund be used to reduce the cost of the license fees for restaurants and temporary food service operated by benevolent organizations that qualify under the Internal Revenue Code:

- **Restaurant Licenses for Benevolent Organizations** – A reduced fee of \$402.00 for benevolent restaurants organizations is requested based on ORS 624.020(5). For 2024 it is estimated that there will be eight benevolent restaurants in Benton County. The cost to the County General Fund to environmental health is estimated to be \$3,544.00. The Division will absorb this cost with the current general fund dollars allocated to Environmental Health.
- **Temporary Restaurant Licenses for Benevolent Organizations** – ORS 624.106(1)(b) *“Notwithstanding ORS 624.490 or 624.650, the authority, or a local public health authority as provided under ORS 624.510, may not charge a benevolent organization a license fee or inspection fee for a single-event temporary restaurant licensed under this subsection.”* The Division of Environmental Health proposes to use county general funds to cover inspection cost. The Oregon Health Authority has determined that we may charge an administrative fee for processing and issuing the license. The proposed administrative fee to benevolent organizations is \$46.00. It is estimated that 63 benevolent temporary restaurant permits that will be issued in 2024. It is estimated that \$2,898.00 of EH funds will be used to offset this cost. The Division will absorb this cost with the current general fund dollars allocated to Environmental Health.

Onsite Waste Water Program: Proposed Continued Reduction in Three Fees:

Three fees are proposed for reduction: major repairs, minor repairs, and mobile home hardships. It is proposed that the cost of these permits be reduced to 50% of their estimated full cost recovery.

Major and Minor Repair Permits at 50% of Cost:

These adjustments would allow a significant reduction in the cost for septic system repair permits, making repairs of existing septic system more affordable. Reduced fees may also help to discourage the repairing of septic systems without a permit. This proposal would not require any additional use of county general fund and would be reduced by other fees collected in the onsite program. Since implementing the reduced fee in 2010, there has been a consistent pattern of increased repair applications when compared to the baseline of 14.7 repair permits as an average measured over a three-year period. The baseline is 14.7 repair permits and is the average as measured over a three-year period in 2007 (15), 2008 (14) and 2009 (15).

Percent Increase in Repair Permits by for the last Five Year Compared to Baseline Years

2024 JUSTIFICATION FOR ENVIRONMENTAL HEALTH FEES

2022	2021	2020	2019	2018
131% (34/14.7)	131% (34/14.7)	145% (36/14.7)	70% (25/14.7)	110% (31/14.7)

Reducing fees appears to be a useful tool to encourage homeowners to apply for repairs to their septic systems. It is recommended that the reduced repair fees be continued for at least one more year and re-evaluated if offering reduced repair fees is working and is sustainable economically.

Mobile Home Personal/Medical Hardship Renewals at 50% of Cost:

Occasionally a mobile home will be placed on the same septic system as a house in order that a caregiver (usually a family member) may help take care of the medical needs of another family member. Once the medical hardship has ended, the mobile home is to be disconnected from the home’s septic system and then moved. It is proposed that mobile home hardship renewals be subsidized 50% by other revenue in the onsite program. This proposal would not require any additional use of county general fund and would be offset by other fees collected in the onsite program. It is recommended that the reduced fees be continued and re-evaluated if offering reduced fees is sustainable economically.

Other Fee Adjustments:

Annual Report Evaluation Fee for Sand Filters, Recirculating Gravel Filters, And Alternative Treatment Technology:

Annually DEQ sends out a reminder letter to owners of Sand Filters, Recirculating Gravel Filters, and Alternative Treatment Technology to remind them to have these more complex systems evaluated. Under state law these reports need to be submitted to DEQ or the delegated county. The state fee for performing the service is \$62.00. To streamline the process and minimize confusing we are proposing to set our fee at the same dollar amount as DEQ. This will help to eliminate staff time to collect or refund money when the incorrect dollar amount is sent to us. It will also make the process more user friendly for the customer by eliminating confusion about what fee to pay. Should DEQ adjust this fee we will match our fee to the DEQ.

Oregon Department of Environmental Quality Surcharge/Remittance fees:

Current DEQ Surcharge/Remittance is \$100, which we collect as an add-on fee to qualifying permits. Should DEQ increase their remittance to us this cost will be passed on in the permit.

Remittance to DEQ is a fee established under state statute designed to support the State's Onsite Waste Water Treatment Program. The state fee is an additional charge established by state rule and assessed on site evaluations, construction installation permits, permit renewals, alterations, repairs, and authorizations listed in our fee schedule to support the state program in rule writing, technical, legal, and quality assurance activities.

In accordance with Oregon Administrative Rule (OAR) 340-071-0140(10) Department surcharge says, “(a) To offset a portion of the administrative and program oversight costs of the statewide onsite wastewater management program, DEQ and contract counties must levy a surcharge for each site evaluation, report permit, and other activity for which an

2024 JUSTIFICATION FOR ENVIRONMENTAL HEALTH FEES

application is required in this division. (b) Proceeds from surcharges collected by the department and contract counties must be accounted for separately. Each contract county must forward the proceeds to the department in accordance with its agreement with the department.”

To reference current DEQ Fee Table may be viewed at: [OAR 340-071-0800 Fee Tables](#)

FY2023-2024 Indirect Cost Calculations based on OAR 333-012-0053

A number of protections exist in state rule to cap what costs may be passed on by the health department in setting fees:

OAR 33-012-0053(5) (b) *Administrative costs must be limited to 15 percent of direct costs.*

OAR 333-012-0050(2) also defines (a) "Administrative Costs" means those costs that are over the direct costs of providing delegated program services. These include actual departmental, agency or central government charges such as, but not limited to, accounting, purchasing, human resources, data management, legal counsel and central mail functions[1];

OAR 333-012-0050(2) (f) provides clear guidance on what can be charged as direct costs, "Direct Costs" mean those costs for salaries and benefits of field and support staff and their associated costs including, but not limited to, rent, vehicles and travel, equipment, data management, training, phone, office supplies and the pro-rated portion of direct costs relating to supervision;

Full Cost Recovery Model: Using full cost recovery model the total percent of administrative cost exceeds the 15% allowable under OAR 333-012-0053.

	001-33-25-530 Environmental Health	
		Percent of Administrative/ Direct Costs
Total Expenses	\$ 1,298,458	
Direct Costs		
Salary/Benefits	\$ 861,316	
Materials and Supplies	\$ 181,398	
Total Direct Costs	\$ 1,042,714	
Administrative Costs		
Central Cost Allocation	\$ 141,893	14%
Health Department Cost Allocation	\$ 113,851	11%
Sub-Total	\$ 255,744	25%
Total Expenses	\$ 1,298,458	
Total Hours Available REHS	\$ 5,004	
Hourly Rate Full Cost Recovery	\$ 259	

*This is sum of material and services MINUS central and department cost allocation

This must be 15% or lower.

updated 9.6.23

Partial Cost Recovery Model: Using partial cost recovery the total percent of administrative cost could be lowered to the 15% allowable under OAR 333-012-0053. The following scenario shows the minimum general fund support needed.

	001-33-25-530 Environmental Health	
		Percent of Administrative/ Direct Costs
Total Expenses	\$ 1,298,458	
Direct Costs		
Salary/Benefits	\$ 861,316	
Materials and Supplies	\$ 181,398	
Total Direct Costs	\$ 1,042,714	
Administrative Costs		
Central Cost Allocation	\$ 141,893	14%
Health Department Cost Allocation	\$ 113,851	11%
Total Administrative Costs	\$ 255,744	25%
Total Expenses	\$ 1,298,458	
Minimum General Fund Contribution to Offset Administrative Cost	\$ 99,337	10%
Revised Administrative Cost @ 15%	\$ 156,407	15%
Total Expenses - General Fund Contribution	\$ 1,199,121	
Total Hours Available REHS	\$ 5,004	% cost recovery
Hourly Rate / Cost Recovery	\$239.63	92%

To proceed as above (BOC covers admin costs in excess of 15% of direct costs) -- raises fees 13%

Hourly rate	\$ 240			
Percent recovery of full costs	92%	\$148,000 (2023 GF)	\$140,708 (2022 GF)	\$156,407 (2024 proposed)
GF contribution	\$ 99,337			
GF change from 2023	-33%			

To adjust fees 7%

Hourly rate	\$ 228			
Percent recovery of full costs	88% (same cost recovery)	\$148,000 (2023 GF)	\$140,708 (2022 GF)	\$156,407 (2024 proposed)
GF contribution	\$ 156,407			
GF change from 2023	6%			

To adjust fees 5%

Hourly rate	\$ 224	
Percent recovery	86%	
GF contribution	\$ 176,000	
GF change from 2023	19%	

To adjust fees 3%

Hourly rate	\$ 220	
Percent recovery	85%	

GF contribution \$ 200,000
 GF change from 2023 35%

To keep fees same

Hourly rate \$ 213
 Percent recovery 79%
 GF contribution \$ 235,000
 GF change from 2023 59%

shown w/ 3% increase	001-33-25-530 Environmental Health	
		Percent of Administrative/ Direct Costs
Total Expenses	\$ 1,298,458	
Direct Costs		
Salary/Benefits	\$ 861,316	
Materials and Supplies	\$ 181,398	
Total Direct Costs	\$ 1,042,714	
Administrative Costs		
Central Cost Allocation	\$ 141,893	14%
Health Department Cost Allocation	\$ 113,851	11%
Total Administrative Costs	\$ 255,744	25%
Total Expenses	\$ 1,298,458	
General Fund Contribution to Offset Administrative Cost	\$ 200,000	
Revised Administrative Cost	\$ 156,407	15%
Total Expenses - General Fund Contribution	\$ 1,098,458	
Total Hours Available REHS	\$ 5,004	
Hourly Rate Full Cost Recovery	\$ 220	

shown w/ 10% increase	001-33-25-530 Environmental Health	
		Percent of Administrative/ Direct Costs
Total Expenses	\$ 1,298,458	
Direct Costs		
Salary/Benefits	\$ 861,316	
Materials and Supplies	\$ 181,398	
Total Direct Costs	\$ 1,042,714	
Administrative Costs		
Central Cost Allocation	\$ 141,893	14%
Health Department Cost Allocation	\$ 113,851	11%
Total Administrative Costs	\$ 255,744	25%
Total Expenses	\$ 1,298,458	
General Fund Contribution to Offset Administrative Cost	\$ 125,000	
Revised Administrative Cost	\$ 156,407	15%
Total Expenses - General Fund Contribution	\$ 1,173,458	
Total Hours Available REHS	\$ 5,004	
Hourly Rate Full Cost Recovery	\$ 235	

To adjust fees 10%

Hourly rate \$ 235
 Percent recovery 91%
 GF contribution \$ 125,000
 GF change from 2023 -16%

Year	Fee Adjustment
2023	3%
2022	0%
2021	3%
2020	3% 50 % refund on 2021 license
2019	3%
2018	3%
2017	3%
2016	5%
2015	4%
2014	5% On-site fees flat
2013	5% No increase to restaurant fees
2012	5%
2011	5%
2010	3%
2009	5%
2008	7%
2007	5%
2006	14%
2005	8% This was proposed in the June 2004 FSAC minutes.

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 10/17/23

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Sheriff's Office

Contact Name * Justin Carley

Phone Extension * 6224

Meeting Attendee Name * Justin Carley

Agenda Item Details

Item Title * Approval of 2023-25 Community Corrections Plan and IGA #6522 between State of Oregon and Benton County

Item Involves * Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

Estimated Time * 15 Min

Board/Committee Involvement * Yes
 No

Advertisement*

- Yes
- No

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

The Oregon Department of Corrections (DOC) requires counties to submit a Community Corrections Plan approved by the Local Public Safety Coordinating Council (LPSCC) and Board of Commissioners (BOC). This biennium, the DOC has asked that the LPSCC submit a letter to the BOC indicating approval of the Community Corrections Plan. The Plan is scheduled to be presented to the LPSCC on October 18, 2023.

The Oregon Department of Corrections also requires counties to enter into an Intergovernmental Agreement (IGA) to receive Grant-in-Aid funds for Community Corrections programs. The IGA must be approved by the Board of Commissioners and submitted to the Department of Corrections to receive state grant funding.

Options *

- 1) Approve
- 2) Disapprove

Fiscal Impact *

- Yes
 No

Fiscal Impact Description *

Oregon Department of Corrections funding is necessary to maintain local community corrections programming. Approval of the 2023-2025 Community Corrections Plan and Intergovernmental Agreement #6522 will meet the requirements to receive Grant-in-Aid funds.

2040 Thriving Communities Initiative

Mandated Service? * Yes
 No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Mandated Service Description * If this agenda checklist describes a mandated service or other function, please describe here.
 COMMUNITY CORRECTIONS

423.475 Findings. The Legislative Assembly finds and declares that:

(1) Passage by the voters of chapter 2, Oregon Laws 1995, has created mandatory minimum penalties for certain violent offenses, and the probable effect thereof will be a significant increase in the demands placed on state secure facilities.

(2) These demands are a shared responsibility of the State of Oregon and its county governments. The state recognizes that it is in a better position than counties to assume responsibility for serious violent offenders and career property offenders.

(3) Counties are willing, in the context of a partnership with the state, to assume responsibility for felony offenders sentenced to a term of incarceration of 12 months or less.

(4) Under the terms of the partnership agreement, the counties agree to assume responsibility for the offenders described in subsection (3) of this section, subject to the state agreeing to provide adequate funding to the counties for this responsibility.

(5) The amendments to statutes made by sections 1a to 5, 7, 8, 9a, 9b, 9c, 10 to 14, 17 to 19 and 22 to 29, chapter 423, Oregon Laws 1995, and the provisions of ORS 423.478, 423.483 and 423.549 and section 5a, chapter 423, Oregon Laws 1995, are intended to acknowledge and implement the terms of the partnership between the state and the counties. [1995 c.423 §1]

423.478 Duties of department and counties; authority of county supervisory authority. (1) The Department of Corrections shall:

(a) Operate prisons for offenders sentenced to terms of incarceration for more than 12 months;

(b) Provide central information and data services sufficient to:

(A) Allow tracking of offenders; and

(B) Permit analysis of correlations between sanctions, supervision, services and programs, and future criminal conduct; and

(c) Provide interstate compact administration and jail inspections.

(2) Subject to ORS 423.483, each county, in partnership with the department, shall assume responsibility for community-based supervision, sanctions and services for offenders convicted of felonies, designated drug-related misdemeanors or designated person misdemeanors who are:

(a) On parole;

(b) On probation;

(c) On post-prison supervision;

(d) Sentenced, on or after January 1, 1997, to 12 months or less incarceration;

(e) Sanctioned, on or after January 1, 1997, by a court or the State Board of Parole and Post-Prison Supervision to 12 months or less incarceration for violation of a condition of parole, probation or post-prison supervision; or

(f) On conditional release under ORS 420A.206.

(3) Notwithstanding the fact that the court has sentenced a person to a term of incarceration, when an offender is committed to the custody of the supervisory authority of a county under ORS 137.124 (2) or (4), the supervisory authority may execute the sentence by imposing sanctions other than incarceration if deemed appropriate by the supervisory authority. If the supervisory authority releases a person from custody under this subsection and the person is required to report as a sex offender under ORS 163A.010, the supervisory authority, as a condition of release, shall order the person to report to the Department of State Police, a city police department or a county sheriff's office or to the supervising agency, if any:

(a) When the person is released;

(b) Within 10 days of a change of residence;

(c) Once each year within 10 days of the person's birth date;

(d) Within 10 days of the first day the person works at, carries on a vocation at or attends an institution of higher education; and

(e) Within 10 days of a change in work, vocation or attendance status at an institution of higher education.

(4) As used in this section:

(a) "Attends," "institution of higher education," "works" and "carries on a vocation" have the meanings given those terms in ORS 163A.005.

(b) "Designated drug-related misdemeanor" means:

(A) Unlawful possession of methadone under ORS 475.824 (2)(b);

(B) Unlawful possession of oxycodone under ORS 475.834 (2)(b);

(C) Unlawful possession of heroin under ORS 475.854 (2)(b);

(D) Unlawful possession of 3,4-methylenedioxymethamphetamine under ORS 475.874 (2)(b);

(E) Unlawful possession of cocaine under ORS 475.884 (2)(b); or

(F) Unlawful possession of the samephetamine under ORS 475.894 (2)(b).

(c) "Designated person misdemeanor" means:

(A) Assault in the fourth degree constituting domestic violence if the judgment document is as described in ORS 163.160 (4);

(B) Menacing constituting domestic violence if the judgment document is as described in ORS 163.190 (3); or

(C) Sexual abuse in the third degree under ORS 163.415. [1995 c.423 §9; 1997 c.313 §33; 1997 c.433 §9; 1999 c.156 §1; 1999 c.626 §21; amendments by 1999 c.626 §44 repealed by 2001 c.884 §1; 2005 c.567 §12; 2009 c.204 §9; 2009 c.713 §16; 2017 c.706 §17; 2021 c.2 §20; 2021 c.591 §§44,44a]

423.483 Baseline funding; basis on which county can discontinue participation. (1)

(a) The baseline funding for biennia beginning after June 30, 1999, is the current service level for the expenses of providing management, support services, supervision and sanctions for offenders described in ORS 423.478 (2). At a minimum, each biennium's appropriation must be established at this baseline.

(b) The baseline funding described in paragraph (a) of this subsection:

(A) May not be decreased as a result of a reduction under ORS 137.633.

(B) May not be increased as a result of community-based sanctions, services and programs that are funded under section 53, chapter 649, Oregon Laws 2013.

(2) If the total state community corrections appropriation is less than the baseline calculated under subsection (1) of this section, a county may discontinue participation by written notification to the director 180 days prior to implementation of the change. If a county discontinues participation, the responsibility for correctional services transferred to the county, and the portion of funding made available to the county under ORS 423.530 reverts to the Department of Corrections. In no case does responsibility for supervision and provision of correctional services to misdemeanor offenders revert to the department.

(3) As used in this section, "current service level" means the calculated cost of continuing current legislatively funded programs, phased in programs and increased caseloads minus one-time costs, decreased caseloads, phased out programs and pilot programs with the remainder adjusted for inflation as determined by the Legislative Assembly in its biennial appropriation to the Department of Corrections. [1995 c.423 §6; 1999 c.952 §1; 2013 c.649 §20; 2015 c.140 §2]

Note: The amendments to 423.483 by section 22, chapter 649, Oregon Laws 2013, become operative July 1, 2025. See section 23, chapter 649, Oregon Laws 2013. The text that is operative on and after July 1, 2025, including amendments by section 3, chapter 140, Oregon Laws 2015, is set forth for the user's convenience.

423.483. (1)(a) The baseline funding for biennia beginning after June 30, 1999, is the current service level for the expenses of providing management, support services, supervision and sanctions for offenders described in ORS 423.478 (2). At a minimum, each biennium's appropriation must be established at this baseline.

(b) The baseline funding described in paragraph (a) of this subsection may not be decreased as a result of a reduction under ORS 137.633.

(2) If the total state community corrections appropriation is less than the baseline calculated under subsection (1) of this section, a county may discontinue participation by written notification to the director 180 days prior to implementation of the change. If a county discontinues participation, the responsibility for correctional services transferred to the county, and the portion of funding made available to the county under ORS 423.530 reverts to the Department of Corrections. In no case does responsibility for supervision and provision of correctional services to misdemeanor offenders revert to the department.

(3) As used in this section, "current service level" means the calculated cost of continuing current legislatively funded programs, phased in programs and increased caseloads minus one-time costs, decreased caseloads, phased out programs and pilot programs with the remainder adjusted for inflation as determined by the Legislative Assembly in its biennial appropriation to the Department of Corrections.

423.486 Costs incurred by county; rules. (1) Beginning in 2012, and every six years thereafter, the Department of Corrections shall conduct a study to determine the actual costs incurred by each county of providing management, support services, supervision and sanctions for offenders described in ORS 423.478 (2).

(2) The department may adopt rules to carry out the provisions of this section. [2009 c.168 §1]

423.490 Department reimbursement of counties for costs incurred pursuant to ORS 813.011; rules. (1) The Legislative Assembly finds and declares that:

(a) In November of 2010, the voters enacted ORS 813.011, which directed the state to fully reimburse counties for the costs of incarcerating persons sentenced under ORS 813.011, including the costs of pretrial incarceration.

(b) Different counties incur different costs of incarceration and many counties incur different costs for different adults in custody within the same facility.

(c) The Legislative Assembly intends to honor the direction given by the voters while also creating an efficient and effective means by which to do so.

(d) Counties and the Department of Corrections have previously agreed that the calculated rate at which the department provides moneys to counties under ORS 423.530 for persons sentenced to 12 months or less incarceration is an efficient and effective means by which to reimburse counties for the costs of their incarceration.

(2) The department shall reimburse counties for the costs of incarcerating persons sentenced under ORS 813.011, including the costs of pretrial incarceration.

(3) The department shall adopt rules prescribing the manner in which a county may submit a claim for reimbursement under this section. The reimbursement shall be calculated using the rate at which the department provides moneys to counties under ORS 423.530 for persons sentenced to 12 months or less incarceration.

(4) Reimbursements made to counties under this section must be made from moneys appropriated to the department for that purpose. [2011 c.598 §3; 2019 c.213 §146]

423.497 National criminal history check. (1) During the intake process, each county shall conduct a national criminal history check on every person incarcerated in the county correctional facility.

(2) The county shall develop policies and procedures to ensure that the results of the national criminal history check are received before an adult in custody is released.

(3) The state shall reimburse each county for the costs of conducting the national criminal history checks. [2008 c.35 §7; 2019 c.213 §100]

423.500 Definitions for ORS 423.500 to 423.560. As used in ORS 423.500 to 423.560, unless the context requires otherwise:

(1) "Director" means the Director of the Department of Corrections.

(2) "Department" means the Department of Corrections.

(3) "Plan" means the biennial community corrections plan required by ORS 423.535. [1977 c.412 §1a; 1979 c.160 §2; 1987 c.320 §220; 1995 c.423 §1a]

423.505 Legislative policy on program funding. Because counties are in the best position for the management, oversight and administration of local criminal justice matters and for determining local resource priorities, it is declared to be the legislative policy of this state to establish an ongoing partnership between the state and counties and to finance with appropriations from the General Fund statewide community correction programs on a continuing basis. The intended purposes of this program are to:

(1) Provide appropriate sentencing and sanctioning options including incarceration, community supervision and services;

(2) Provide improved local services for persons charged with criminal offenses with the goal of reducing the occurrence of repeat criminal offenses;

(3) Promote local control and management of community corrections programs;

(4) Promote the use of the most effective criminal sanctions necessary to protect public safety, administer punishment to the offender and rehabilitate the offender;

(5) Enhance, increase and support the state and county partnership in the management of offenders; and

(6) Enhance, increase and encourage a greater role for local government and the local criminal justice system in the planning and implementation of local public safety policies. [1977 c.412 §1; 1989 c.607 §1; 1995 c.423 §2]

423.510 [1977 c.412 §2; 1985 c.44 §3; 1985 c.558 §7; repealed by 1995 c.423 §31]

423.515 [1977 c.412 §4; 1987 c.320 §220a; repealed by 1995 c.423 §31]

423.520 Financial grants to counties for community corrections programs. The Department of Corrections shall make grants to assist counties in the implementation and operation of community corrections programs including, but not limited to, preventive or diversionary correctional programs, probation, parole, work release and local correctional facilities and programs for offenders. The department shall require recipients of the grants to cooperate, to the extent of available information systems resources, in the collection and sharing of data necessary to evaluate the effect of community corrections programs on future criminal conduct. [1977 c.412 §5; 1987 c.320 §221; 1995 c.423 §3; 1997 c.433 §10]

423.523 [2013 c.35 §1; repealed by 2017 c.150 §2]

423.525 Application for financial aid; review of application; rules for program evaluation; use of funds; community corrections manager; modification of plan. (1) A county, group of counties or intergovernmental corrections entity shall apply to the Director of the Department of Corrections in a manner and form prescribed by the director for funding made available under ORS 423.500 to 423.560. The application shall include a community corrections plan. The Department of Corrections shall provide consultation and technical assistance to counties to aid in the development and implementation of community corrections plans.

(2)(a) From July 1, 1995, until June 30, 1999, a county, group of counties or intergovernmental corrections entity may make application requesting funding for the construction, acquisition, expansion or remodeling of correctional facilities to serve the county, group of counties or intergovernmental corrections entity. The department shall review the application for funding of correctional facilities in accordance with criteria that consider design, cost, capacity, need, operating efficiency and viability based on the county's, group of counties' or intergovernmental corrections entity's ability to provide for ongoing operations.

(b)(A) If the application is approved, the department shall present the application with a request to finance the facility with financing agreements to the State Treasurer and the Director of the Oregon Department of Administrative Services. Except as otherwise provided in subparagraph (B) of this paragraph, upon approval of the request by the State Treasurer and the Director of the Oregon Department of Administrative Services, the facility may be financed with financing agreements, and certificates of participation issued pursuant thereto, as provided in ORS 283.085 to 283.092. All decisions approving or denying applications and requests for financing under this section are final. No such decision is subject to judicial review of any kind.

(B) If requests to finance county correctional facility projects are submitted after February 22, 1996, and the requests have not been approved by the department on the date a session of the Legislative Assembly convenes, the requests are also subject to the approval of the Legislative Assembly.

(c) After approval but prior to the solicitation of bids or proposals for the construction of a project, the county, group of counties or intergovernmental corrections entity and the department shall enter into a written agreement that determines the procedures, and the parties responsible, for the awarding of contracts and the administration of the construction project for the approved correctional facility. If the parties are unable to agree on the terms of the written agreement, the Governor shall decide the terms of the agreement. The Governor's decision is final.

(d) After approval of a construction project, the administration of the project shall

be conducted as provided in the agreement required by paragraph (c) of this subsection. The agreement must require at a minimum that the county, group of counties or intergovernmental corrections entity shall submit to the department any change order or alteration of the design of the project that, singly or in the aggregate, reduces the capacity of the correctional facility or materially changes the services or functions of the project. The change order or alteration is not effective until approved by the department. In reviewing the change order or alteration, the department shall consider whether the implementation of the change order or alteration will have any material adverse impact on the parties to any financing agreements or the holders of any certificates of participation issued to fund county correctional facilities under this section. In making its decision, the department may rely on the opinions of the Department of Justice, bond counsel or professional financial advisers.

(3) Notwithstanding ORS 283.085, for purposes of this section, "financing agreement" means a lease purchase agreement, an installment sale agreement, a loan agreement or any other agreement to finance a correctional facility described in this section, or to refinance a previously executed financing agreement for the financing of a correctional facility. The state is not required to own or operate a correctional facility in order to finance it under ORS 283.085 to 283.092 and this section. The state, an intergovernmental corrections entity, county or group of counties may enter into any agreements, including, but not limited to, leases and subleases, that are reasonably necessary or generally accepted by the financial community for purposes of acquiring or securing financing as authorized by this section. In financing county correctional facilities under this section, "property rights" as used in ORS 283.085 includes leasehold mortgages of the state's rights under leases of correctional facilities from counties.

(4) Notwithstanding any other provision of state law, county charter or ordinance, a county may convey or lease to the State of Oregon, acting by and through the Department of Corrections, title to interests in, or a lease of, any real property, facilities or personal property owned by the county for the purpose of financing the construction, acquisition, expansion or remodeling of a correctional facility. Upon the payment of all principal and interest on, or upon any other satisfaction of, the financing agreement used to finance the construction, acquisition, expansion or remodeling of a correctional facility, the state shall reconvey its interest in, or terminate and surrender its leasehold of, the property or facilities, including the financed construction, acquisition, expansion or remodeling, to the county. In addition to any authority granted by ORS 283.089, for the purposes of obtaining financing, the state may enter into agreements under which the state may grant to trustees or lenders leases, subleases and other security interests in county property conveyed or leased to the state under this subsection and in the property or facilities financed by financing agreements.

(5) In connection with the financing of correctional facilities, the Director of the Oregon Department of Administrative Services may bill the Department of Corrections, and the Department of Corrections shall pay the amounts billed, in the same manner as provided in ORS 283.089. As required by ORS 283.091, the Department of Corrections and the Oregon Department of Administrative Services shall include in the Governor's budget all amounts that will be due in each fiscal period under financing agreements for correctional facilities. Amounts payable by the state under a financing agreement for the construction, acquisition, expansion or remodeling of a correctional facility are limited to available funds as defined in ORS 283.085, and no lender, trustee, certificate holder or county has any claim or recourse against any funds of the state other than available funds.

(6) The director shall adopt rules that may be necessary for the administration, evaluation and implementation of ORS 423.500 to 423.560. The standards shall be sufficiently flexible to foster the development of new and improved supervision or rehabilitative practices and maximize local control.

(7) When a county assumes responsibility under ORS 423.500 to 423.560 for

(7) When a county assumes responsibility for ORS 423.500 to 423.560 for correctional services previously provided by the department, the county and the department shall enter into an intergovernmental agreement that includes a local community corrections plan consisting of program descriptions, budget allocation, performance objectives and methods of evaluating each correctional service to be provided by the county. The performance objectives must include in dominant part reducing future criminal conduct. The methods of evaluating services must include, to the extent of available information systems resources, the collection and analysis of data sufficient to determine the apparent effect of the services on future criminal conduct.

(8) All community corrections plans shall comply with rules adopted pursuant to ORS 423.500 to 423.560, and shall include but need not be limited to an outline of the basic structure and the supervision, services and local sanctions to be applied to offenders convicted of felonies, designated drug-related misdemeanors and designated person misdemeanors who are:

- (a) On parole;
- (b) On probation;
- (c) On post-prison supervision;
- (d) Sentenced, on or after January 1, 1997, to 12 months or less incarceration;
- (e) Sanctioned, on or after January 1, 1997, by a court or the State Board of Parole and Post-Prison Supervision to 12 months or less incarceration for a violation of a condition of parole, probation or post-prison supervision; and
- (f) On conditional release under ORS 420A.206.

(9) All community corrections plans shall designate a community corrections manager of the county or counties and shall provide that the administration of community corrections under ORS 423.500 to 423.560 shall be under such manager.

(10) No amendment to or modification of a county-approved community corrections plan shall be placed in effect without prior notice to the director for purposes of statewide data collection and reporting.

(11) The obligation of the state to provide funding and the scheduling for providing funding of a project approved under this section is dependent upon the ability of the state to access public security markets to sell financing agreements.

(12) No later than January 1 of each odd-numbered year, the Department of Corrections shall:

- (a) Evaluate the community corrections policy established in ORS 423.475, 423.478, 423.483 and 423.500 to 423.560; and
- (b) Assess the effectiveness of local revocation options.

(13) As used in this section, "designated drug-related misdemeanor" and "designated person misdemeanor" have the meanings given those terms in ORS 423.478. [1977 c.412 §6; 1987 c.320 §222; 1989 c.790 §65; 1995 c.79 §218; 1995 c.423 §§4,4a; 1996 c.4 §§7,8; 1997 c.433 §11; 1999 c.156 §2; 1999 c.952 §2; 2016 c.117 §67; 2017 c.706 §18; 2021 c.581 §4]

423.530 Procedure for determining amount of financial grants; rules. (1) Financial grants for community corrections pursuant to ORS 423.500 to 423.560 consist of

the Grant-in-Aid Program. The Grant-in-Aid Program consists of moneys appropriated to the Department of Corrections for the purposes of management, support services and supervision of offenders described in ORS 423.478 (2). The department shall determine, prior to July 1 of each odd-numbered year, each county's percentage share of the amount appropriated for the purposes of this subsection. Such determination shall be based upon a weighted formula of workload and population as adopted by the department by rule. In adopting the rule, the department shall consult with a broad based committee including, but not limited to, representatives of the Department of Corrections, local county community corrections, county boards of commissioners and county sheriffs.

(2) Funding received by a county pursuant to ORS 423.500 to 423.560 approved for county corrections programs shall not be reduced by the department except by action of the Legislative Assembly or the Emergency Board. Such reductions shall be made proportionately using the applicable allocation formula. [1977 c.412 §7; 1979 c.160 §1; 1985 c.708 §1; 1987 c.320 §223; 1989 c.613 §1; 1989 c.790 §66; 1993 c.680 §1; 1995 c.423 §5]

423.535 Biennial community corrections plan required; county authority to contract for services. (1) Prior to receiving funds, the county shall have a biennial community corrections plan.

(2) The county and the Department of Corrections shall enter into an intergovernmental agreement referring to the plan.

(3) The county may contract with public or private agencies including, but not limited to, other counties, cities, special districts and public or private agencies for the provision of services to offenders. [1977 c.412 §13; 1987 c.320 §224; 1989 c.613 §2; 1995 c.423 §7]

423.540 Program compliance review by Director of Department of Corrections; effect of failure to comply. The Director of the Department of Corrections shall biennially review a county's compliance with the intergovernmental agreement under ORS 423.500 to 423.560. A county must substantially comply with the provisions of its community corrections intergovernmental agreement and plan established pursuant to ORS 423.525 (7). If the director determines that there are reasonable grounds to believe that a county is not in substantial compliance with the intergovernmental agreement or plan, the director shall contact the county regarding the alleged noncompliance and offer technical assistance to reach compliance. If the county does not resolve the alleged noncompliance, the director shall, after giving the county not less than 30 days' notice, conduct a hearing to ascertain whether there is substantial compliance or satisfactory progress being made toward compliance. After technical assistance is provided and the hearing occurs, the director may suspend any portion of the funding made available to the county under ORS 423.500 to 423.560 until the required compliance occurs. [1977 c.412 §8; 1979 c.487 §14; 1987 c.320 §225; 1995 c.423 §8; 1997 c.715 §5; 2017 c.302 §1]

423.545 [1977 c.412 §9; 1987 c.320 §226; repealed by 1995 c.423 §31]

423.549 State positions in community corrections branch; abolishment; county authority; affected employees; pay. (1) Notwithstanding ORS 236.605 to 236.640, all state positions in the state community corrections branch of the Department of

Corrections, the funding for which is transferred to counties, are abolished on January 1, 1997. Counties have sole discretion in the development of methods and means of county community corrections operation under ORS 423.500 to 423.560 including establishment of wages, benefits and working conditions and selection of any employees to operate supervision programs or other services and sanctions under ORS 423.478 and 423.525. The implementation of this section does not give rise to any bargaining obligation under ORS 243.650 to 243.809.

Notwithstanding any collective bargaining agreement, the department shall first offer to any employee so affected and not hired by a county a vacant position in other department branches and operations for which the employee is qualified. This preference lapses 90 days after the operative date of this section. The department has sole discretion in selecting and filling vacant positions from among affected employees having preference.

(2) Notwithstanding subsection (1) of this section, for each month of employment during the period of January 1, 1997, through June 30, 1997, a county shall pay each affected employee hired by the county in regular full-time employment to provide or to support the provision of community corrections programs and services the same minimum gross monthly salary or hourly wage that the affected employee received in state employment immediately prior to termination of the employee's state position. In the event an affected employee formerly employed by the state in a supervisory position is hired by a county in a nonsupervisory position, the county shall pay the affected employee during this period the same minimum gross monthly salary or hourly wage to which an affected employee in the nonsupervisory position would have been entitled to receive in state employment at the top step of the state pay classification for that position immediately prior to its termination. A county shall also provide to each affected employee during this period the same benefits provided to existing county employees performing the same or substantially similar work, giving full consideration to the length of the employee's state service as though the service had been in and for the county. [1995 c.423 §16 (enacted in lieu of 423.550)]

423.550 [1977 c.412 §10; 1987 c.320 §227; 1989 c.607 §3; 1989 c.614 §3; 1993 c.680 §2; repealed by 1995 c.423 §15 (423.549 enacted in lieu of 423.550)]

423.551 [1989 c.614 §5; repealed by 1995 c.423 §31]

423.552 [1989 c.510 §2; repealed by 1995 c.423 §30]

423.553 [1989 c.510 §3; repealed by 1995 c.423 §30]

423.554 [1989 c.510 §§4,5; repealed by 1995 c.423 §30]

423.555 Statewide program evaluation and information system. The Department of Corrections shall establish and operate, with the cooperation and participation of county community corrections agencies, a statewide evaluation and information system to monitor the effectiveness of correctional services provided to criminal offenders under ORS 423.500 to 423.560. To the extent of available information systems resources, the system shall permit ongoing evaluation of apparent

correlations between services provided and future criminal conduct. [1977 c.412 §11; 1987 c.320 §228; 1995 c.423 §10; 1997 c.433 §12]

423.557 "Recidivism" defined for statistical evaluations. (1) As used in this section, "recidivism" means the arrest, conviction or incarceration of a person who has previously been convicted of a crime, if the arrest, conviction or incarceration is for a new crime and occurs:

- (a) Three years or less after the date the person was convicted of the previous crime; or
- (b) Three years or less after the date the person was released from custody, if the person was incarcerated as a result of the conviction for the previous crime.

(2) When the Oregon Department of Administrative Services, the Department of Corrections, the Oregon Criminal Justice Commission or any other public body as defined in ORS 174.109 conducts a statistical evaluation of the rate at which persons convicted of a crime recidivate, the public body shall include an evaluation of recidivism as that term is defined in subsection (1) of this section. [2013 c.649 §45; 2015 c.143 §1]

Note: 423.557 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 423 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

423.560 Local public safety coordinating council; duties. (1) The board of county commissioners of a county shall convene a local public safety coordinating council. The council shall include, but need not be limited to:

- (a) A police chief selected by the police chiefs in the county;
- (b) The sheriff of the county or, if two or more counties have joined together to provide community corrections services, a sheriff selected by the sheriffs in the counties;
- (c) The district attorney of the county or, if two or more counties have joined together to provide community corrections services, a district attorney selected by the district attorneys of the counties;
- (d) A state court judge, and a public defender or defense attorney, both appointed by the presiding judge of the judicial district in which the county is located;
- (e) A director of community corrections, a county commissioner, a juvenile department director, a health director, a mental health director, a representative of community-based nonprofit organizations that provide services to victims of crime and at least one lay citizen, all appointed by the county commissioners;
- (f) A city councilor or mayor and a city manager or other city representative, both selected by the cities in the county;
- (g) A representative of the Oregon State Police, who is a nonvoting member of the council, selected by the Superintendent of State Police; and
- (h) A representative of the Oregon Youth Authority, who is a nonvoting member of the council, selected by the Director of the Oregon Youth Authority.

(2) The boards of county commissioners of two or more counties may jointly convene a single, regional local public safety coordinating council by means of an intergovernmental agreement. Local officials may combine the council with existing local criminal justice advisory councils established under ORS 1.851.

(3) The local public safety coordinating council shall, at a minimum:

(a) Develop and recommend to the county board of commissioners a plan for use of:

(A) State resources to serve the local offender population; and

(B) State and local resources to serve the needs of that part of the local offender population who are at least 15 years of age and less than 18 years of age, which plan must provide for coordination of community-wide services involving prevention, treatment, education, employment resources and intervention strategies; and

(b) Coordinate local criminal justice policy among affected criminal justice entities.

(4) Nonvoting members of a local public safety coordinating council may not be counted in determining whether a quorum exists.

(5) If a quorum is present at any meeting of the council, action may be taken by an affirmative vote of a majority of the quorum.

(6) The appointing authorities described in subsection (1) of this section shall fill a vacancy over which they have appointment authority within three months of a vacancy or as soon as possible. [1977 c.412 §12; 1995 c.423 §11; 1997 c.249 §136; 1997 c.698 §1; 2003 c.162 §1; 2007 c.682 §2; 2009 c.286 §1; 2017 c.225 §1]

423.565 Additional duties of public safety coordinating council. In addition to the duties assigned to it under ORS 423.560, the local public safety coordinating council convened by the board of commissioners shall, at a minimum:

(1) Develop and recommend to the county board of commissioners the plan for use of state resources to serve the local adjudicated youth population.

(2) Coordinate local juvenile justice policy among affected juvenile justice entities.

(3) Develop and recommend to the county board of commissioners a plan designed to prevent criminal involvement by youth. The plan must provide for coordination of community-wide services involving treatment, education, employment and intervention strategies aimed at crime prevention.

(4) Create a facility advisory subcommittee when provided with the information described in ORS 169.690. The subcommittee shall be composed of the following persons:

(a) The affected law enforcement officer described in ORS 423.560 (1)(a) or (b);

(b) A district attorney;

(c) A mental health director;

(d) A designee of the city council or county board of commissioners, whichever is affected;

(e) A representative of an organization that advocates on behalf of persons with mental illness; and

(f) A consumer as defined in ORS 430.073.

(5) If a written plan of action has been provided to the council under ORS 165.127, annually review the plan and, if appropriate, make written recommendations to the affected district attorney for plan improvements. [1995 c.422 §75; 1995 c.423 §11a; 2009 c.121 §2; 2009 c.811 §12; 2012 c.37 §99; 2021 c.489 §156]

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values *

Select all that apply.

- Vibrant, Livable Communities
- Supportive People Resources
- High Quality Environment and Access
- Diverse Economy that Fits
- Community Resilience
- Equity for Everyone
- Health in All Actions
- NA

Explain Core Values Selections *

Benton County Community Corrections (BCCC) believes that treating a Justice-Involved-Individual (JII) as an individual and intentionally assessing risk, effective case planning, and appropriate community referrals are foundational towards positive change, thus reducing recidivism and making our community a safer place. Our office collaborates with community partners to connect individuals on supervision with resources that address issues for treatment, employment, housing, education, and mental health services.

Focus Areas and Vision *

Select all that apply.

- Community Safety
- Emergency Preparedness
- Outdoor Recreation
- Prosperous Economy
- Environment and Natural Resources
- Mobility and Transportation
- Housing and Growth
- Arts, Entertainment, Culture, and History
- Food and Agriculture
- Lifelong Learning and Education
- NA

Explain Focus Areas and Vision Selection *

Benton County Community Corrections (BCCC) is responsible for supervising Justice Involved Individuals (JII's) on probation, parole, post-prison supervision, and short-term transitional leave who reside in Benton County. Each component of our profession – supervision, sanctions, and services – is an important part of holding JII's accountable while protecting the community. BCCC continues to utilize evidence-based principles and practices to focus resources and supervision strategies on the highest risk population who present the greatest risk to the community and who are in the greatest need of support.

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations * It is respectfully recommended the Board of Commissioners approve the 2023-2025 Community Corrections Plan and Intergovernmental Agreement #6522 between the State of Oregon and Benton County.

Meeting Motions * I move to ...
... approve the 2023-2025 Community Corrections Plan and Intergovernmental Agreement #6522 between the State of Oregon and Benton County.

Recommendations and Motions

Staff Recommendations

It is respectfully recommended the Board of Commissioners approve the 2023-2025 Community Corrections Plan and Intergovernmental Agreement #6522 between the State of Oregon and Benton County.

Meeting Motions

I move to...

...approve the 2023-2025 Community Corrections Plan and Intergovernmental Agreement #6522 between the State of Oregon and Benton County.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

CCA Plan 23-25 - FINAL w budget #'s.docx	2.6MB
503700_6522 Dept of Corrections_Revised w exh A.pdf	278.83KB

Comments (optional) If you have any questions, please call ext.6800

Department Approver JEFRI VANARSDALL

<p>1.</p> <p>Department Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	<p>5.</p> <p>BOC Final Approval</p> <hr/> <p>Comments</p> <p>Signature </p>
<p>2.</p> <p>Counsel Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>3.</p> <p>Finance Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>4.</p> <p>County Administrator Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	

**INTERGOVERNMENTAL AGREEMENT 6522
BETWEEN THE STATE OF OREGON AND BENTON COUNTY**

This Intergovernmental #6522 (Agreement) is between the State of Oregon acting by and through its Department of Corrections, hereafter called DEPARTMENT, and Benton County, hereafter called COUNTY.

Whereas, DEPARTMENT is an agency of the State of Oregon and COUNTY is a unit of local government of the State of Oregon and both parties desire to cooperate by agreement to provide correctional services in COUNTY within the requirements as authorized by ORS 423.475 to 423.565;

Whereas, the Legislative Assembly of Oregon enacted legislation establishing shared responsibility between county corrections programs and the Department on a continuing basis (ORS 423.475 to 423.565);

Whereas, ORS 144.106 provides “the supervisory authority shall use a continuum of administrative sanctions for violations of post-prison supervision”;

Whereas, ORS 144.334 provides that the Board of Parole and Post-Prison Supervision may authorize issuance of citations by supervising officers;

Whereas, ORS 144.343 provides that the Board of Parole and Post-Prison Supervision may delegate the authority to impose sanctions as provided in ORS 144.106 and to continue a violator on parole or post-prison supervision with the same or modified conditions;

Whereas, ORS 423.478(2)(a) - (f) assigns responsibility for all offenders on probation, parole, post-prison supervision and those offenders sentenced or revoked for periods of one year or less, and on conditional release to COUNTY;

Whereas, ORS 137.545 and 137.595 provide that courts may delegate the authority to parole/probation officers to impose sanctions for probationers through a system of Structured Sanctions; and

Whereas, ORS 423.555 requires DEPARTMENT, with cooperation from COUNTY, to establish and operate a Statewide Evaluation and Information System and to monitor effectiveness of corrections services provided to criminal offenders under ORS 423.500 to 423.560.

Now, therefore, THE PARTIES HERETO, in consideration of the mutual promises, terms and conditions hereinafter provided, agree to the following:

I. DEFINITIONS

- A. Amendment: Any change to this Agreement that alters the terms and conditions of the Agreement, effective only after all parties have signed and all approvals have been obtained. Plan Modifications are **NOT** Amendments.
- B. Budget Summary: The part of the County Corrections Plan that reflects the amount of County Corrections Grant funds granted by DEPARTMENT to COUNTY to implement the programs in the Plan. The Budget Summary is attached to this Agreement as Exhibit A.
- C. Community Corrections Manager: Individual designated by COUNTY pursuant to ORS 423.525 as responsible for administration of the community corrections programs as set forth by the Plan.
- D. County Corrections: All County agencies and officials who carry out the responsibilities in ORS 423.478(2)(a)-(f) and the activities of carrying out those responsibilities.
- E. County Community Corrections Plan or Plan: A document developed by the Local Public Safety Coordinating Councils and adopted by COUNTY's governing body pursuant to ORS 423.525 and 423.535 and received by DEPARTMENT's director or designee.
- F. County Community Corrections Plan Modification: A written change or alteration to the County Corrections Plan promulgated by COUNTY modifying the Plan subject to ORS 423.525, effective upon the date the written change or alteration has been submitted to the DEPARTMENT representative under this Agreement.
- G. County Community Corrections Grant: Grant(s) made by DEPARTMENT to assist COUNTY in the implementation and operation of county corrections programs including, but not limited to, preventive or diversionary correctional programs, probation, parole, post-prison supervision work release and local correctional facilities and programs for adults on supervision.
- H. Adult on Supervision (AOS): Any person under supervision who is on parole, post-prison supervision, transitional leave, work release, local control, and/or probation status.
- I. Sanctions or Structured Sanctions: A response to adult on supervision violations of conditions of supervision that uses custody units.

- J. Statewide Evaluation and Information System: The Corrections Information Systems (CIS) including the Offender Profile System (OPS), the Integrated Supervision Information System (ISIS), Case Management for Institutions (CMI), Offender Management System (OMS), Offender Information System (OIS), Interstate Compact Offender Tracking System (ICOTS), and related case management modules.
- K. Supervisory Authority: The local corrections official or officials designated in each COUNTY by that COUNTY's Board of County Commissioners or county court to operate corrections supervision services, custodial facilities or both.

II. AUTHORITY AND DURATION

A. Authority

This Agreement is entered into pursuant to the provisions of ORS 423.520, ORS 423.530 and 423.535.

B. Duration

This Agreement will become effective on **July 1, 2023** and will remain in effect until **June 30, 2025** or until terminated according to Section X, captioned TERMINATION.

III. PLAN; PLAN MODIFICATIONS

- A. County Community Corrections Plan: COUNTY will create a County Community Corrections Plan meeting the requirements of ORS 423.525 outlining the basic structure of supervision, services, and local sanctions to be applied to adults on supervision sentenced or convicted of felonies, designated drug-related misdemeanors, or designated person misdemeanors and on supervision in the county. The Plan consists of program descriptions and budget allocations and is included by this reference as part of this Agreement. The Plan must be received and approved by DEPARTMENT before disbursements can be made by COUNTY.
- B. Plan Modifications: COUNTY and DEPARTMENT agree that the Plan must remain a flexible instrument capable of responding to unforeseen needs and requirements. COUNTY may modify the Plan according to ORS 423.525 and the administrative rules thereunder governing the support and development of County Corrections Programs. A copy of all Plan Modifications will be marked in sequence beginning with the designation "Plan Modification 1" and attached to the above-mentioned Plan. DEPARTMENT will notify COUNTY of any concerns about the modification or the need for an amendment within a 30 calendar day period after DEPARTMENT receives the Plan Modification.

- C. Notice of Modification: No Plan Modifications shall take effect until COUNTY gives written notice to DEPARTMENT, in a form approved by DEPARTMENT. DEPARTMENT shall provide to COUNTY an approved form for modifications as soon as practicable after execution of this Agreement.

IV. AMENDMENTS GENERALLY

The terms of this Agreement shall not be waived, altered, modified, supplemented or amended, in any manner whatsoever, except by written Amendment signed by the parties.

V. DUTIES AND RESPONSIBILITIES OF COUNTY

- A. COUNTY shall assume administrative responsibility for correctional supervision and services within its jurisdiction, as outlined in the Plan.
- B. COUNTY shall designate a Community Corrections Manager.
- C. COUNTY will meet the goals for community corrections in Oregon described below:
 - 1. Reduce Criminal Behavior
 - a. Indicator: recidivism, as measured by arrest, conviction, or incarceration for a new crime within three years from initial admission to probation.
 - b. Indicator: recidivism, as measured by arrest, conviction, or incarceration for a new crime within three years from first release to parole/post-prison supervision.
 - 2. Enforce Court, Board of Parole and Post-Prison Supervision, and Local Supervisory Authority Orders:
 - a. Indicator: the percentage of positive case closures for adults on parole/post-prison supervision.
 - b. Indicator: the percentage of positive case closures for adults on probation.
 - 3. Assist Offenders to Change:
 - a. Indicator: employment rates for adults on supervision.
 - b. Indicator: substantial compliance with treatment requirements.
 - 4. Provide Reparation to Victims and Community

- a. Indicator: the percentage of restitution and compensatory fines collected, owed to victims.
 - b. Indicator: the percentage of community service hours provided by adults on supervision.
- D. Except as otherwise provided by the DEPARTMENT's rules or orders, COUNTY will adopt and implement a continuum of administrative sanctions used by DEPARTMENT and the Board of Parole and Post-Prison Supervision for violators of conditions of probation, parole and post-prison supervision as authorized by ORS 144.106, 144.334, 144.343 and 137.540 and the rules thereunder. COUNTY will manage local control post-prison supervision in accordance with the rules and practices of the Board of Parole and Post-Prison supervision.
- E. COUNTY will follow the Oregon Administrative Rules (OAR's) applicable to community corrections, including but not limited to the following:
- 1. Computerized Information System Access and Security OAR 291-005-0005 through 291-005-0075.
 - 2. Case Transfer, OAR 291-019-0100 through OAR 291-019-0225.
 - 3. Community Corrections Programs, OAR 291-031-0005 through OAR 291-031-0360.
 - 4. Pre-sentence Investigation, OAR 291-038-0005 through 291-038-0050.
 - 5. Structured, Intermediate Sanctions OAR 291-058-0010 through OAR 291-058-0070.
 - 6. Short-term Transitional Leave, OAR 291-063-0100 through 291-063-0140.
 - 7. Records Management, OAR 291-070-0100 through OAR 291-070-0140.
 - 8. Community Case Management, OAR 291-078-0005 through OAR 291-078-0031.
 - 9. Admission, Sentence Computation and Release, OAR 291-100-0005 through OAR 291-100-0160.
 - 10. Interstate Compact, OAR 291-180-0106 through OAR 291-180-0275.
 - 11. Sex Offenders, Special Provisions, OAR 291-202-0010 through 291-202-0130.
 - 12. Active and Inactive Probation, OAR 291-206-005 through 291-206-0030.
 - 13. Earned Discharge, OAR 291-209-0010 through 291-209-0070.
 - 14. Dangerous Offenders, OAR Chapter 255, Divisions 36 and 37.
 - 15. Release to Post-Prison Supervision or Parole and Exit Interviews, OAR Chapter 255, Division 60.
 - 16. Conditions of Parole and Post-Prison Supervision, OAR Chapter 255, Division 70.

17. Procedures for Response to Parole and Post-Prison Supervision Condition Violations for Offenders Under the Jurisdiction of the Board of Parole and Post-Prison Supervision or Local Supervisory Authority, OAR Chapter 255, Division 75.
 18. Active and Inactive Parole and Post-Prison Supervision, OAR Chapter 255, Division 94.
 19. Archiving, OAR Chapter 166.
- F. COUNTY will follow all applicable Federal and State civil rights laws including, but not limited to:
1. Federal Code, Title 5 USCA 7201 et seq. - Anti-discrimination in Employment.
 2. Oregon Statutes, Enforcement of Civil Rights: ORS 659A.009, 659A.006, and 659A.030.
 3. Americans with Disabilities Act.
- G. COUNTY will prepare and furnish such data, descriptive information and reports as may be requested by DEPARTMENT as needed to comply with ORS 423.520, which states in part, "The department shall require recipients of the grants to cooperate [. . .] in the collection and sharing of data necessary to evaluate the effect of community corrections programs on future criminal conduct." COUNTY will enter data into the Statewide Evaluation and Information Systems in a complete, accurate, and timely manner. COUNTY agrees to, and does hereby grant DEPARTMENT the right to reproduce, use and disclose all or any part of such reports, data and technical information furnished under this Agreement.
- H. COUNTY will permit authorized representatives of DEPARTMENT to make such review of records of COUNTY as may be necessary to satisfy audit or program review purposes. A copy of any audit or monitoring report will be made available to COUNTY.
- I. COUNTY will follow DEPARTMENT prescribed allotment and expenditure reporting system and shall provide this information on each discrete program in the COUNTY Corrections Plan. This system will be used for controlling County Corrections Grant funds by DEPARTMENT and to provide suitable records for an audit. COUNTY will make available to the DEPARTMENT copies of its annual audit report required by ORS 297.425.
- J. If funding from DEPARTMENT is reduced or discontinued by legislative action, COUNTY will not be required to increase use of COUNTY revenue for continuing or maintaining corrections services as set out in this Agreement. If funding is reduced below the amount set out in ORS 423.483, the County may elect to terminate pursuant to Section X, below.

- K. COUNTY will participate in all of the systems that comprise the Statewide Evaluation and Information Systems. COUNTY will enter and keep current information on adults on supervision in the Law Enforcement Data System (LEDS) Enter Probation Record (EPR) System.
- L. COUNTY will retain responsibility for cases transferred to and accepted by another state under the terms of the Interstate Compact for Adult Offender Supervision, an agreement among states to provide supervision services for parole, post-prison, and probation adults on supervision that relocate to other states per ORS 144.610 and OAR 291-180-0106 through 291-180-0275.
- M. COUNTY will comply with ORS 182.515-182.525. Programs identified by the committee described in ORS 423.150 and receiving any state grant funds shall be evidence based. Evidence based programs are delivered consistent with the findings in research about what works best to reduce recidivism.

VI. DEPARTMENT RESPONSIBILITIES

- A. DEPARTMENT will furnish to COUNTY, in a timely manner, those procedures, directives, records, documents and forms required for COUNTY to meet its obligations.
- B. Subject to system capacity and data processing capabilities, DEPARTMENT will furnish data, descriptive information and reports, available to DEPARTMENT and requested by COUNTY that will assist COUNTY in complying with DEPARTMENT requirements. This data includes, but is not limited to, details regarding outcomes noted in Subsection V(C). DEPARTMENT hereby grants to COUNTY the right to reproduce, use, and disclose all or part of such reports, data, and technical information furnished under this Agreement.
- C. DEPARTMENT agrees to provide COUNTY an opportunity to review and comment on all new or revised administrative rules that have fiscal or programmatic impact on COUNTY.
- D. If by legislative action, funding from DEPARTMENT is reduced to COUNTY, DEPARTMENT agrees to provide reasonable notice and transition opportunity to COUNTY of changes that may significantly alter approved appropriations and programs.
- E. If COUNTY ceases to participate in County Corrections programs as described in ORS Chapter 423, DEPARTMENT may recover title and possession to property previously transferred to COUNTY or purchased by COUNTY with County Corrections Grant funds.

- F. DEPARTMENT grants to COUNTY continual access to the DEPARTMENT's computer system at no charge to COUNTY. All costs (including but not limited to any equipment or software upgrades) to ensure this access; however, is the responsibility of COUNTY. If DEPARTMENT's computer is used in any way other than for pass-through of COUNTY data to the DEPARTMENT's system, COUNTY will provide support for additional activities. DEPARTMENT will provide timely notification and technical assistance when changes are made that impact applicable restrictions on the software, if any. If COUNTY uses DEPARTMENT's data circuits or network connections to access a third party jail management system, the terms of the attached Exhibit B apply. If DEPARTMENT determines that COUNTY has not complied with the terms of Exhibit B, DEPARTMENT may immediately suspend COUNTY access to DEPARTMENT's computer system.
- G. DEPARTMENT's Community Corrections Division will administer the provisions of the Interstate Compact for Adult Offender Supervision, an agreement among states to provide supervision services for adults on parole, under post-prison supervision, and on probation that relocate to other states per ORS 144.610 and OAR 291-180-0106 through 291-180-0275.
- H. DEPARTMENT will provide technical assistance to COUNTY in implementing and evaluating COUNTY's Plan.
- I. DEPARTMENT will provide technical assistance to COUNTY on changes in Oregon Statutes and Oregon Administrative Rules.

VII. FUNDS

- A. The Budget Summary, Exhibit A, lists the County Corrections Grant funds authorized under this Agreement for the implementation of the Plan during the term of this Agreement.
- B. The Plan and this fully executed Agreement must be received by the DEPARTMENT from the COUNTY. After receipt of both the Plan and the executed Agreement, DEPARTMENT will authorize payments to the COUNTY as scheduled in this Section VII.
- C. The first payment to COUNTY will occur as soon as possible after the DEPARTMENT's budget is legislatively approved and implemented and quarterly thereafter.
- D. The DEPARTMENT will disburse to COUNTY one eighth of the County Correction Grant Funds authorized under this Agreement within 15 days of

each of the following dates; 7/1/23, 10/1/23, 1/1/24, 4/1/24, 7/1/24, 10/1/24, 1/1/25, and 4/1/25.

DEPARTMENT's obligation to disburse County Correction Grant Funds is subject to satisfaction, on the date of each disbursement, of each of the following conditions:

1. COUNTY is in compliance with all terms and conditions of this Agreement;
 2. This Agreement has not been terminated; and
 3. DEPARTMENT has received funding, appropriations, limitations, allotments, or other expenditure authority sufficient to allow DEPARTMENT, in the exercise of its reasonable administrative discretion, to make the disbursement.
- E. Both parties agree that all reallocations of funds between or within programs shall require a County Community Corrections Plan Modification, except that COUNTY may reallocate up to ten percent of funds in any budget category in the approved Plan between or within programs without a County Community Corrections Plan Modification. COUNTY shall notify DEPARTMENT in writing of such reallocation within 30 days after making the reallocation.
- F. Unexpended Funds: Fund balances remaining at the termination of this agreement may be retained by the COUNTY, upon approval by the DEPARTMENT, for the provision of on-going supervision, correctional services, and sanctions in accordance with the Plan.
- G. Supervision fees previously collected by COUNTY will be used to offset costs of supervising the probation, parole, post-prison supervision or other supervised release.
- H. Unauthorized Expenditures: Any County Corrections Grant Funds expended for unauthorized purposes will be deducted by DEPARTMENT from subsequent payments under this Agreement or refunded to DEPARTMENT upon request.
- I. For purposes of the delivery of field corrections services, DEPARTMENT recognizes COUNTY as an ongoing partner for all County Corrections appropriations provided by the State of Oregon Legislature according to ORS 423.475 to 423.565.
- J. Funding for Sexually Violent Dangerous Offenders: After receipt and review of an invoice from the COUNTY, DEPARTMENT will reimburse

COUNTY at the daily rate established by the DEPARTMENT for the intensive supervision of adults on supervision designated as sexually violent dangerous offenders by the Court or Board of Parole and Post-Prison Supervision only from the amount specifically appropriated for the increased level of supervision of such adults on supervision.

- K. In the event that the COUNTY retains funds to spend in the next biennium under Subsection VII(F), then Subsections VII (D)-(G) and (I)-(J) will survive termination or expiration of this Agreement.

VIII NONCOMPLIANCE

- A. The Assistant Director of Community Corrections or the Assistant Director's designee shall biennially review COUNTY's compliance with this Agreement under ORS 423.500 to 423.560. COUNTY must substantially comply with the provisions of the Plan received by DEPARTMENT and this Agreement.
- B. If, upon review, DEPARTMENT determines that there are reasonable grounds to believe that COUNTY is not in substantial compliance with this Agreement or Plan, DEPARTMENT shall contact COUNTY regarding the alleged noncompliance and offer technical assistance to reach compliance. If COUNTY does not resolve the alleged noncompliance, DEPARTMENT shall, after giving COUNTY not less than 30 calendar days' notice, conduct a hearing to ascertain whether there is substantial compliance or satisfactory progress being made toward compliance. After technical assistance, which may include peer review or other assistance, is provided and the hearing occurs, DEPARTMENT may suspend any portion of the funding made available to COUNTY under ORS 423.500 to 423.560 until County complies as required.
- C. In the event that a dispute arises, COUNTY may appeal to the Director of the Department of Corrections.

IX INDEMNIFICATION COUNTY shall comply with the contribution, ADR, subcontractor indemnity and subcontractor insurance requirements set forth in Exhibit C.

X TERMINATION

- A. It is understood and agreed by the parties hereto that this Agreement will remain in force only during its term and will not continue in force after its term. There will be no automatic extension, but this Agreement may be extended only by written Amendment.
- B. It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement, including any part, term or provision of any

appended material, is held by a court to be illegal or in conflict with any law of the State of Oregon or applicable administrative rule, that element of this Agreement including relevant appended materials will be void and without effect and will be treated by the parties as having been terminated as of the date of determination of the voidness.

- C. If COUNTY chooses to discontinue participation in the Plan as described in this Agreement and ORS 423.483(2), COUNTY may terminate participation at the end of any month by delivery of a resolution of the Board of Commissioners to the DEPARTMENT's Director or the Director's designee not less than 180 calendar days before the date on which COUNTY intends to discontinue its participation. Termination of COUNTY participation may occur only at the end of a month. This Agreement will terminate on the same date that COUNTY discontinues its participation in the Plan.
- D. If COUNTY terminates participation, the following will apply:
 - 1. The responsibility for correctional services transferred to COUNTY and any unused County Corrections Grant funds will revert to DEPARTMENT.
 - 2. The responsibility for supervision of and provision of correctional services to misdemeanor offenders does not revert to DEPARTMENT under any circumstances except those of adults on supervision convicted of designated drug-related misdemeanors or designated person misdemeanors.
- E. It is understood and agreed by the parties hereto that this Agreement will automatically terminate if the State of Oregon fails to provide any funding. If there is reduced state funding as described in ORS 423.483, County may terminate the Agreement as described herein.

XI COMPLIANCE WITH APPLICABLE LAW

Both Parties shall comply with all federal, state and local laws, regulations, executive orders, and ordinances to which each is subject and which is applicable to this Agreement. Without limiting the generality of the foregoing, the parties expressly agree to comply with: (i) Title VI of the Civil Rights Act of 1964; (ii) Section V of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659A.142; (iv) all regulations and administrative rules established pursuant to those laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations. DEPARTMENT's performance under this Agreement is conditioned upon COUNTY's compliance with the provisions of ORS 279B.220, 279B.230, 279B.235 and 279B.270, as amended from time to time, which are made applicable to this Agreement and incorporated herein by this reference. All employers, including

COUNTY, that employ subject workers who work under this Agreement in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage unless such employers are exempt under ORS 656.126. COUNTY shall ensure that each of its subcontractors complies with these requirements.

Nothing in this Agreement shall require County or Department to act in violation of state or federal law or the Constitution of the State of Oregon.

XII ACCESS TO RECORDS

For not less than six (6) years after Agreement expiration or termination, DEPARTMENT, the Secretary of State's Office of the State of Oregon, the federal government, and their duly authorized representatives shall have access to the books, documents, papers and records of COUNTY which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts. COUNTY shall retain all pertinent records until the later of: (i) the date that is not less than six (6) years following the Agreement expiration or termination date or (ii) the date on which all litigation regarding this Agreement is resolved. COUNTY agrees that full access to DEPARTMENT will be provided in preparation for and during litigation and that copies of applicable records shall be made available upon request and payment by DEPARTMENT for the COUNTY's cost to produce the copies.

XIII SURVIVAL

All rights and obligations shall cease upon termination or expiration of this Agreement, except for the rights and obligations set forth in Sections IV, IX, X, XI, XII, XIII, and XIV.

XIV GOVERNING LAW; JURISDICTION; VENUE

The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Agreement, including, without limitation, its validity, interpretation, construction, performance, and enforcement. Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for Marion County. Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum.

XV WAIVER

The failure of either party to enforce any provision of this Agreement will not constitute a waiver by that party of that or any other provision.

XVI EXECUTION AND COUNTERPARTS

This Agreement may be executed in several counterparts, each of which will be an original, all of which will constitute but one and the same instrument.

XVII MERGER; INTEGRATION

This instrument contains the entire agreement between the parties and no statement made by any party hereto, or agent thereof, not contained or attached with reference thereto in this written agreement will be valid or binding. This Agreement will supersede all previous communications, representations, whether verbal or written, between the parties hereto. This Agreement may not be enlarged, modified or altered except in writing, signed by the parties, and attached.

STATE OF OREGON
DEPT. OF CORRECTIONS

BENTON COUNTY
BOARD OF COMMISSIONERS

Jeremiah Stromberg, Asst. Director

Chair

Date

Date

Approved for Legal Sufficiency
Oregon Attorney General's Office:

Reviewed as to form:
Vance M. Croney 9-27-2023
Benton County Counsel

/s/ Sam Zeigler per email dated 5/4/21
Assistant Attorney General

EXHIBIT A
BUDGET SUMMARY
BENTON COUNTY

Program Name	Grant in Aid	Grant in Aid Supplemental	All Other Funds and Fees	Total
Administration (1)	\$478,122.00			\$478,122.00
Supervision (4) –				
Community Supervision,			\$1,284,531	
Transition Program/Rel Planning,	\$2,466,891.00	\$70,591.00	(\$779,828	\$3,822,013.00
SO Supervision			Carryover)	
Sex Offender Program Services (2) –	\$24,353.00		\$58,882.00	\$83,235.00
Treatment, Polygraph Exams				
Subsidy / Transition Services (1) –			\$10,441.00	\$10,441.00
(Transitional Fund dollars)				
Evidence Based Programming			\$46,928.00	\$46,928.00
Transition Center (1);			\$715,355.00	\$715,355.00
(County levy dollars)				
Work Crew/Community Service	\$48,213.00			\$48,213.00
Total	\$3,017,579.00	\$70,591.00	\$2,116,137.00	\$5,204,307.00

EXHIBIT B

BENTON COUNTY

NETWORK ACCESS BY COUNTY

1. COUNTY jail users will be permitted to use existing DEPARTMENT data circuits to access third party systems. Access is permitted for jail management system application users only. COUNTY jail users will not be permitted to use DEPARTMENT circuits for video conferencing, Real Audio, Internet access, applications that require large amounts of bandwidth, or other jail management software online service or system unless approved by DEPARTMENT. COUNTY jail users will be permitted to use DEPARTMENT's data circuits for video image transmissions using a NIST standard (available from DEPARTMENT upon request).

- A. All network traffic covered by this agreement will employ TCP/IP network protocols.
- B. DEPARTMENT will continue its policy of only providing one router to each county. This means that if COUNTY's jail and the parole and probation office are located in separate buildings, COUNTY will be responsible for providing a connection between the two buildings.

2. COUNTY understands and acknowledges that DEPARTMENT is subject to the public records provision of ORS 192.311 through 192.478 and other applicable laws and administrative rules which establish uniform guidelines and procedures for the release of information from DEPARTMENT's computer system.

**EXHIBIT C
INDEMNIFICATION
BENTON COUNTY**

Contribution

If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against a party (the "Notified Party") with respect to which the other party ("Other Party") may have liability, the Notified Party must promptly notify the Other Party in writing of the Third Party Claim and deliver to the Other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Either party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by the Other Party of the notice and copies required in this paragraph and meaningful opportunity for the Other Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to the Other Party's liability with respect to the Third Party Claim.

With respect to a Third Party Claim for which the Department is jointly liable with the County (or would be if joined in the Third Party Claim), the Department shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the County in such proportion as is appropriate to reflect the relative fault of the Department on the one hand and of the County on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the Department on the one hand and of the County on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The Department's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if the Department had sole liability in the proceeding.

With respect to a Third Party Claim for which the County is jointly liable with the Department (or would be if joined in the Third Party Claim), the County shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the Department in such proportion as is appropriate to reflect the relative fault of the County on the one hand and of the Department on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the County on the one hand and of the Department on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The County's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if it had sole liability in the proceeding.

Alternative Dispute Resolution

The parties should attempt in good faith to resolve any dispute arising out of this agreement. This may be done at any management level, including at a level higher than persons directly responsible for administration of the agreement. In addition, the parties may agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation.

Indemnification by Subcontractors

County shall take all reasonable steps to cause its contractor(s) that are not units of local government as defined in ORS 190.003, if any, to indemnify, defend, save and hold harmless the State of Oregon and its officers, employees and agents ("Indemnitee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including attorneys' fees) arising from a tort (as now or hereafter defined in ORS 30.260) caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of County's contractor or any of the officers, agents, employees or subcontractors of the contractor ("Claims"). It is the specific intention of the parties that the Indemnitee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnitee, be indemnified by the contractor from and against any and all Claims.

Subcontractor Insurance Requirements

GENERAL

County shall require its first tier contractor(s) that are not units of local government as defined in ORS 190.003, if any, to: i) obtain insurance specified under TYPES AND AMOUNTS and meeting the requirements under, "TAIL" COVERAGE, NOTICE OF CANCELLATION OR CHANGE, and CERTIFICATES OF INSURANCE before the contractors perform under contracts between County and the contractors (the "Subcontracts"), and ii) maintain the insurance in full force throughout the duration of the Subcontracts. The insurance must be provided by insurance companies or entities that are authorized to transact the business of insurance and issue coverage in the State of Oregon and that are acceptable to County. County shall not authorize contractors to begin work under the Subcontracts until the insurance is in full force. Thereafter, County shall monitor continued compliance with the insurance requirements on an annual or more frequent basis. County shall incorporate appropriate provisions in the Subcontracts permitting it to enforce contractor compliance with the insurance requirements and shall take all reasonable steps to enforce such compliance. Examples of "reasonable steps" include issuing stop work orders (or the equivalent) until the insurance is in full force or terminating the Subcontracts as permitted by the Subcontracts, or pursuing legal action to enforce the insurance requirements. In no event shall County permit a contractor to work under a Subcontract when the County is aware that the contractor is not in compliance with the insurance requirements. As used in this section, a "first tier" contractor is a contractor with which the county directly enters into a contract. It does not include a subcontractor with which the contractor enters into a contract.

TYPES AND AMOUNTS

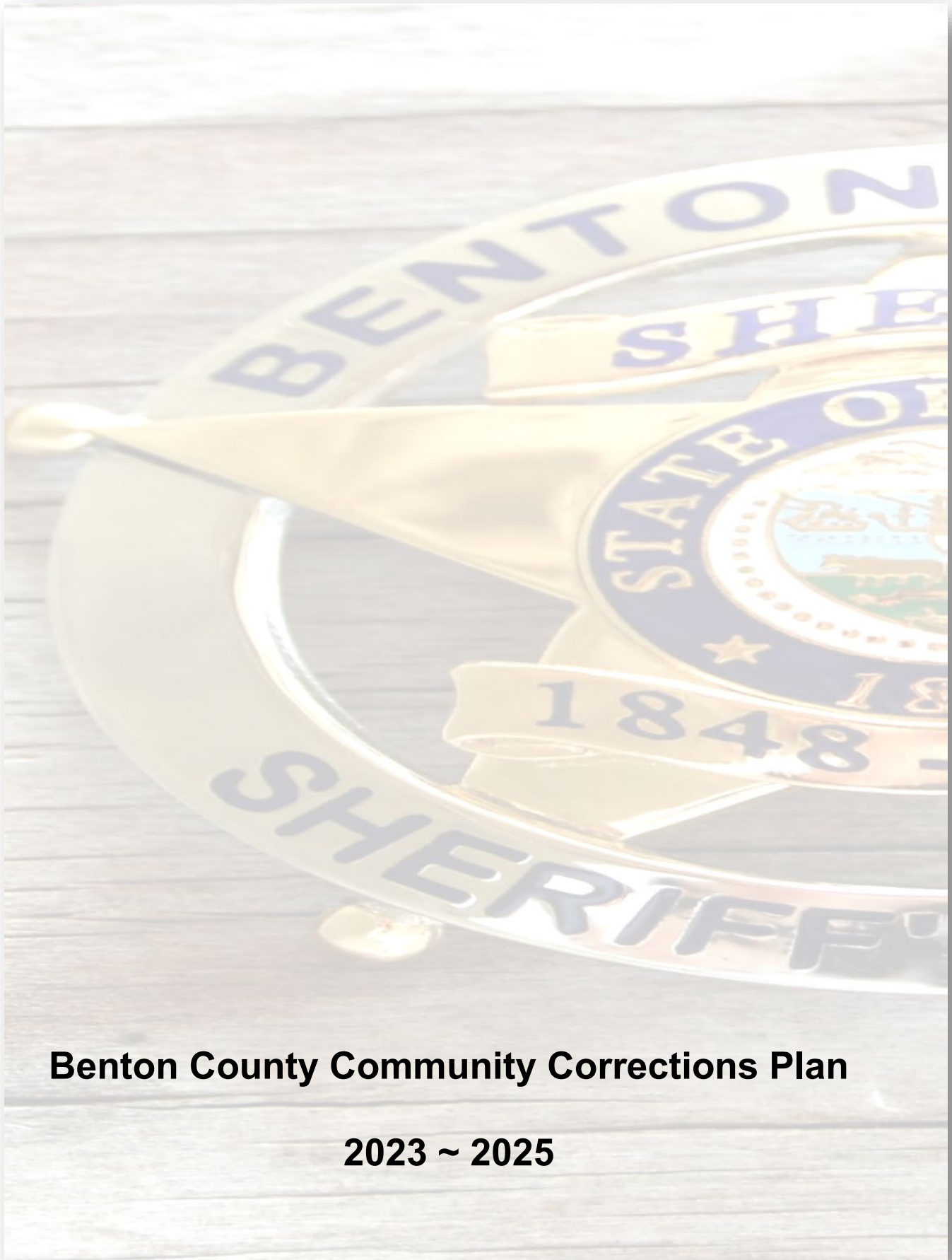
PROFESSIONAL LIABILITY

Professional Liability Insurance covering any damages caused by an error, omission or negligent act related to the services to be provided under the Subcontract, with limits not less than \$2,000,000, as determined by the Department:

"TAIL" COVERAGE If any of the required insurance policies is on a "claims made" basis, such as professional liability insurance, the contractor shall maintain either "tail" coverage or continuous "claims made" liability coverage, provided the effective date of the continuous "claims made" coverage is on or before the effective date of the Subcontract, for a minimum of 24 months following the later of : (i) the contractor's completion and County 's acceptance of all Services required under the Subcontract or, (ii) the expiration of all warranty periods provided under the Subcontract. Notwithstanding the foregoing 24-month requirement, if the contractor elects to maintain "tail" coverage and if the maximum time period "tail" coverage reasonably available in the marketplace is less than the 24-month period described above, then the contractor may request and the Department may grant approval of the maximum "tail " coverage period reasonably available in the marketplace. If Department approval is granted, the contractor shall maintain "tail" coverage for the maximum time period that "tail" coverage is reasonably available in the marketplace.

NOTICE OF CANCELLATION OR CHANGE The contractor or its insurer must provide 30 days' written notice to County before cancellation of, material change to, potential exhaustion of aggregate limits of, or non-renewal of the required insurance coverage(s).

CERTIFICATE(S) OF INSURANCE County shall obtain from the contractor a certificate(s) of insurance for all required insurance before the contractor performs under the Subcontract. The certificate(s) or an attached endorsement must specify: i) all entities and individuals who are endorsed on the policy as Additional Insured and ii) for insurance on a "claims made" basis, the extended reporting period applicable to "tail" or continuous "claims made" coverage.



Benton County Community Corrections Plan

2023 ~ 2025

WCJC APPROVAL LETTER HERE

Benton County Community Corrections Overview

Benton County Community Corrections (BCCC) is responsible for supervising Justice Involved Individuals (JII's) on probation, parole, post-prison supervision, and short-term transitional leave who reside in Benton County. Each component of our profession – supervision, sanctions, and services – is an important part of holding JII's accountable while protecting the community. BCCC continues to utilize evidence-based principles and practices to focus resources and supervision strategies on the highest risk population who present the greatest risk to the community and who are in the greatest need of support. We believe that treating a JII as an individual and intentionally assessing risk, effective case planning, and appropriate community referrals are foundational towards positive change, thus reducing recidivism and making our community a safer place. Our office collaborates with community partners to connect individuals on supervision with resources that address issues for treatment, employment, housing, education, and mental health services. Adults on supervision are also subject to unannounced contacts, treatment referrals, searches, random urine testing for drug use, or polygraph testing to monitor compliance with conditions of supervision. Contact with JII's becomes progressively less frequent as risk levels decrease.

The 2021-2023 biennium has proven to be challenging on multiple fronts. We have watched the COVID19 pandemic significantly impact our profession, our staff, the individuals we serve, and our partners, and our community. We have seen a noticeable reduction in cases supervised not only in Benton County, but around the state.

Considering the challenges, our BCCC staff are trusted to make smart, professional decisions. In Benton County, our office has continued to be forward-thinking as a profession. Specifically, we continue:

- Adhering to evidence-based principles – understanding risk / need / responsivity / fidelity
- Using validated risk assessments
- Developing comprehensive Case Plans
- Making effective use of referrals, interventions and sanctions
- Involved heavily in re-entry efforts with the Department of Corrections
- Justice Reinvestment efforts
- Focus resources on supervising the highest risk population of JII's
- Not to over supervise low risk clients

To say that the 2021-2023 biennium was a dynamic challenge would be an understatement. Through it all, our dedicated staff continue to rise to the occasion. And despite the uncertainty of the State's Community Corrections funding, our office will continue to prioritize resources, adhere to evidence-based principles, and focus on rehabilitative services for those individuals who pose the greatest risk to the community.

Accomplishments from the 2021 ~ 2023 Biennium

- Successfully navigated the impacts of the COVID19 pandemic on our profession.
- Participated in the Benton County Criminal Justice Assessment.
- Justice Reinvestment Grant Programs: enhanced re-entry services for our Transition Program, our Evidence Based Programming, and started the implementation of a Pre-Trial Program in Benton County.
- Continued to conduct in-house evidence-based programming facilitated by specially trained Parole and Probation Officers.
- Received a Corrections Program Checklist assessment from the Department of Corrections of our in-house evidence-based programming and were rated as effective.
- Hired a new Support Staff personnel – Katie Bateman (2022).
- Hired a new Sex Offender treatment provider.
- Implemented a new GPS program.
- Partnered with RemoteCom for enhanced monitoring of electronic devices.

Future plans heading into the 2023 ~ 2025 Biennium

- Continue improvement in implementation of in-house Evidence-Based Programming.
- Continue to adhere to evidence based supervision strategies and methods.
- Examine and revise all current policies and procedures to ensure they are in line with best practices.
- Continue to work with community partners involved with Justice-Involved Individuals.
- Work with legislative leaders and criminal justice partners to explore incentive options and solutions to sustainable baseline funding for Community Corrections.

Benton County Mission

MAKING BENTON COUNTY A BETTER PLACE TO LIVE

Our intention is to make Benton County a better place to live. We bring to our citizenry the authority, structure, and services to respond to public concerns and opportunities; and provide a means for local decision making.

OVERREACHING GOAL

PROMOTE A SAFE AND NURTURING ENVIRONMENT
WHERE FAMILIES AND INDIVIDUALS CAN THRIVE AND PROSPER.

Benton County Sheriff's Office Mission

OUR MISSION ~ We provide professional public safety services with integrity and accountability.





OUR VISION ~ To be a progressive Sheriff's Office that is the cornerstone of public safety in Benton County.

OUR VALUES ~  DUTY  HONOR  COURAGE 

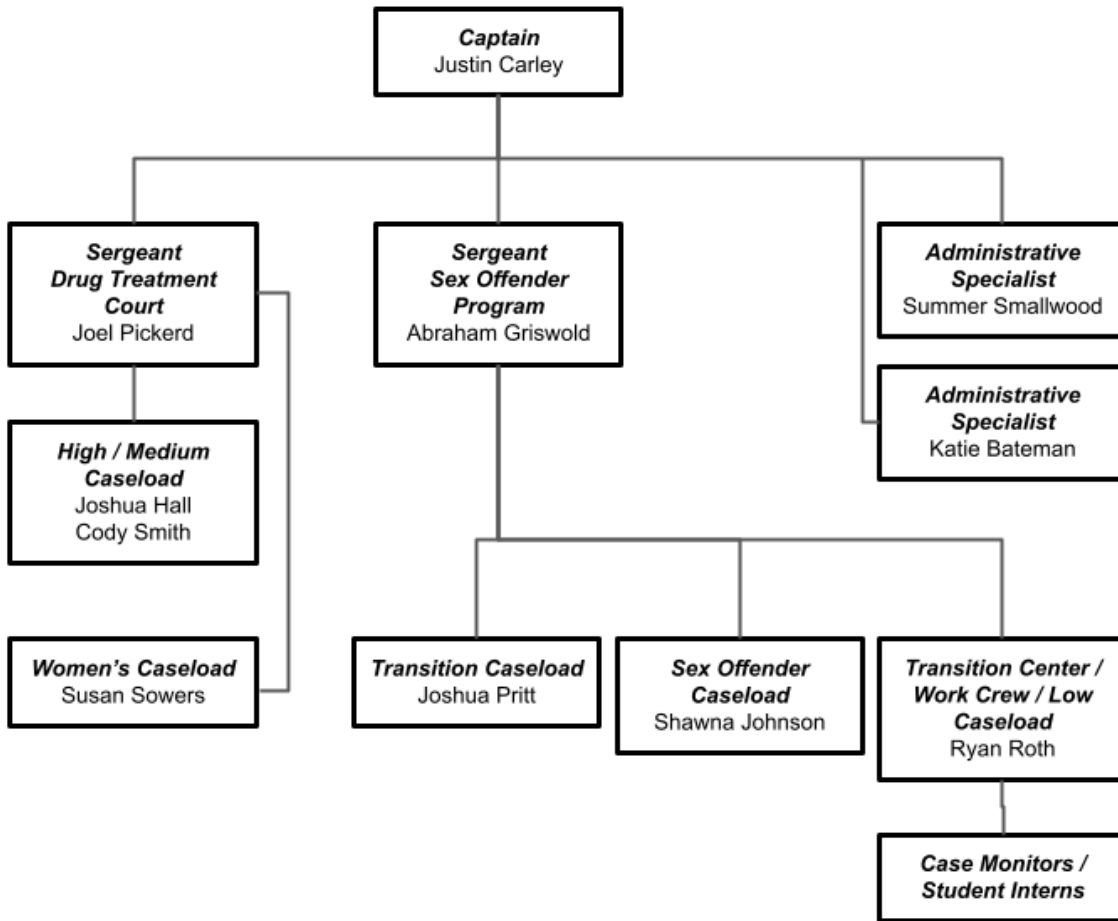
State Accredited since 2009

Benton County Community Corrections Mission

We serve the community by enhancing public safety through the reformation of justice-involved individuals and the reduction of criminal behavior.

-  Respect the worth and dignity of all individuals
-  Hold justice-involved individuals accountable
-  Identify risk in order to prioritize available resources and sanctions
-  Utilize evidence-based programs and community partnerships

BCSO Parole and Probation Division Organizational Chart



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BENTON County
2023-2025 Community Corrections Biennial Plan

Department of Corrections 3723 Fairview Industrial Drive SE Salem, Oregon 97310	<i>For Office Use Only</i> Date Received:
Address: 180 NW 5th Street, Corvallis, OR 97330 Telephone: (541) 766-6224 Fax: (541) 766-6758 E-mail: Justin.J.Carley@bentoncountyor.gov	
Community Corrections Director: Justin Carley Address: 180 NW 5th Street, Corvallis, OR 97330 Telephone: (541) 766-6224 Fax: (541) 766-6758 E-mail: Justin.J.Carley@bentoncountyor.gov	
Sheriff: Jefri Van Arsdall Address: 180 NW 5th Street, Corvallis, OR 97330 Telephone: (541) 766-6055 Fax: (541) 766-6011 E-mail: Jefri.Vanarsdall@bentoncountyor.gov	
Jail Manager: John Devaney Address: 180 NW 5th Street, Corvallis, OR 97330 Telephone: (541) 766-6786 Fax: (541) 766-6710 E-mail: John.Devaney@bentoncountyor.gov	
Supervisory Authority: Jefri Van Arsdall, Sheriff Address: 180 NW 5th Street, Corvallis, OR 97330 Telephone: (541) 766-6055 Fax: (541) 766-6011 E-mail: Jefri.Vanarsdall@bentoncountyor.gov	
LPSCC Contact: Jodi Robin, WCJC Coordinator Address: 120 NW 4th Street, Room 404, Corvallis, OR 97339-3020 Phone: 541.766.6647 Fax: Email: Jodi.Robin@bentoncountyor.gov	
<u>Biennial Budget</u>	
State Grant-in-Aid Fund:	3,017,579
DOC M57 Supplemental Fund:	<u>154,232</u>
CJC Justice Reinvestment Grant:	<u>483,538</u>
CJC Treatment Court Grant:	<u> </u>
County General Fund:	<u> </u>
Supervision Fees:	<u>43,235</u>
Biennial Carryover (GIA, M57, FSAPP):	<u>779,828</u>
Other Fees: Polygraph	<u>15,647</u>
Other: Grant in Aid Supplemental	<u>70,591</u>
Other: Transitional Fund	<u>10,441</u>
Other: Transitional Program (Levy)	<u>629,216</u>
Other: Biennial Carryover-GF	<u> </u>
<u>Total:</u>	<u>5,204,307</u>

Program Name:	Administration
Program Description:	The Community Corrections Director is responsible for managing the day-to-day operations of all Community Corrections staff and programs. The Director is also responsible for budget preparation, policy development, community education, liaison with the Willamette Criminal Justice Council (LPSCC), and the development/implementation of new programming. The Community Corrections Director is delegated these responsibilities from the Benton County Sheriff of the Supervising Authority regarding Community Corrections operations. All Local Control and Benton County probation violation warrants are issued by the Director or designee.
Program Category:	Administration
Program Objectives:	<ol style="list-style-type: none"> 1. The Director will monitor the budget, Intergovernmental Agreements, personal services contracts, and operational policies and procedures to ensure the Mission is being accomplished as efficiently as possible. 2. The programs will operate within the proposed budget and guidelines of the Community Corrections Plan and ensure adherence to all contracts with the Oregon Department of Corrections. 3. The Director will work closely with the Willamette Criminal Justice Council, the Oregon Association of Community Corrections Directors, and the Oregon Department of Corrections on issues relating to effective community corrections operations. 4. The Director will conduct regular staff meetings and trainings to discuss cases, clarify policies and procedures, analyze program needs, identify training issues, and to facilitate group discussion on corrections-related issues. 5. The Director will track staff training requirements and ensure mandatory trainings are delivered to staff in a timely and effective manner. All certified employees will attend at least 40 hours of relevant training each year; non-certified employees will attend at least 16 hours of relevant training each year.
Method(s) of Evaluation:	Statewide Outcome Measures; internal caseload audits

Monthly Average to be Served:

Type of Offender(s) Served:

Crime Category:

Gender:

Risk Level:

Probation

Felony

Male

High

Parole/Post-Prison

Misdemeanor

Female

Medium

Local Control

Low

Which Treatment Provider(s) Will You Use Within This Program?

Provider Name	Treatment Type <small>(ie., Anger Management, Cognitive, DV, Dual Diagnosis, Sex Offender, Inpatient Substance Abuse, or Outpatient Substance Abuse)</small>	What, if any, state dollars are budgeted to the program and how much to each fund? <small>(ie., GIA-\$25,000; M57-\$5000)</small>

Funding Sources

- State Grant-In-Aid Fund 478,122.00
- DOC M57 Supplemental Fund _____
- CJC Justice Reinvestment Grant _____
- CJC Treatment Court Grant _____
- County General Fund _____

- Supervision Fees
 - Biennial Carryover (GIA, M57, FSAPP)
 - Other Fees (revenue)
 - Other State or Federal Grant
- Other: Please Identify
- -
 -

Additional Comments:

Program Name:	Supervision
Program Description:	<p>Community Supervision</p> <p>This program provides supervision to adult individuals on parole, post-prison, transitional leave, probation, and conditional discharge residing in Benton County. Supervision includes, but is not limited to assessment of risk, case planning, referrals to treatment and cognitive programming, office contacts, residence checks, GPS monitoring, monitoring and collection of court-ordered financial obligations, imposition of structured sanctions, monitoring for substance abuse, community referrals, and the coordination and supervision of volunteers.</p> <p>Transition Program / County and DOC Pre-Release Planning</p> <p>The Transition Program is designed to enhance public safety through effective transitioning of individuals from state and local custody to the community. The Transition Program Officer is responsible for identifying all persons incarcerated in Oregon Department of Corrections institutions who are scheduled to be released to Benton County on short-term transitional leave (STTL) or parole or post-prison supervision. The Transition Officer conducts reach-ins at approximately 90 days prior to an individual's release. The reach-in process consists of targeted client interaction to prepare releasing inmates from state prisons for long term and productive life change in the community. The purpose is to engage individuals prior to release and provide them with realistic information pertaining to the various facets of re-entry into the community. Our Transition Program coordinates resources such as housing, clothing, transportation, and other community resources to help individuals stabilize in the community. Participants in the reach-in process are educated on evidence-based principles related to risk assessments and available re-entry services, and other community resources. The Transition Program also assures that all statutory notifications are met, such as notifications to the Sheriff, District Attorney, Courts, and victims.</p> <p>Benton County Drug Treatment Court</p> <p>The Drug Treatment Court (DTC) provides individuals accused of probation or conditional discharge violations an opportunity to address serious substance abuse issues in an intensely supervised environment. The DTC Program diverts eligible probationers who would otherwise be facing jail or DOC prison sentences and utilizes community resources to address their chronic substance abuse and other related issues. All DTC participants under supervision in Benton County are assigned to a specialized Drug Treatment Court caseload. The supervising officer provides input at weekly DTC staff meetings, attends DTC trainings and planning sessions, and attends weekly DTC court appearances. The Drug Treatment Court Program is a collaborative effort with Benton County Circuit Court, Benton County District Attorney's Office, Benton County Legal Defense Consortium, Benton County Health Department, Benton County Sheriff's Office, Corvallis Police Department, and Benton County Community Corrections. Additional operational and treatment funds have historically been obtained through grants.</p> <p>Sex Offender Supervision Program</p> <p>This program enhances community safety through the effective management of individuals convicted of sex offenses. A Parole and Probation Officer with specialized sex offender training is assigned to supervise known sex offenders under supervision in Benton County. The sex offender supervision specialist is responsible for the assessment of all sex offenders using the Static-99R, Stable, and Acute Risk Assessments. Supervision includes referrals to treatment, participating in treatment programming, monitoring treatment progress, collecting DNA samples, coordinating the local Sex Offender Notification Committee, scheduling polygraph examinations, conducting home and office contacts, and other duties related to caseload management. The sex offender specialist is also responsible for community notification, residency restrictions, and other legislative requirements. The sex offender supervision officer represents Benton County Community Corrections at the statewide Sex Offender Supervision Network meetings. Sex offenders who have successfully completed treatment, passed a full disclosure polygraph, and have had no known significant violations may be eligible to be supervised on the low level supervision caseload; sex offenders are not eligible for limited level supervision.</p>

Program Category:	Supervision
Program Objectives:	<p>1. Serve the community by enhancing public safety through the reformation of justice involved individuals and the reduction of criminal behavior.</p> <p>2. Identify offender risk to prioritize available resources and sanctions.</p> <p>3. Utilize evidence-based programs, community referrals, and community partnerships.</p>
Method(s) of Evaluation:	Statewide Outcome Measures; internal caseload audits

Monthly Average to be Served: 300

Type of Offender(s) Served:

- Probation
 Parole/Post-Prison
 Local Control

Crime Category:

- Felony
 Misdemeanor

Gender:

- Male
 Female

Risk Level:

- High
 Medium
 Low

Which Treatment Provider(s) Will You Use Within This Program?

Provider Name	Treatment Type <small>(ie., Anger Management, Cognitive, DV, Dual Diagnosis, Sex Offender, Inpatient Substance Abuse, or Outpatient Substance Abuse)</small>	What, if any, state dollars are budgeted to the program and how much to each fund? <small>(ie., GIA-\$25,000; M57-\$5000)</small>

Funding Sources

<input checked="" type="checkbox"/> State Grant-In-Aid Fund	\$2,466,891.00
<input checked="" type="checkbox"/> DOC M57 Supplemental Fund	\$154,232.00
<input checked="" type="checkbox"/> CJC Justice Reinvestment Grant	\$350,471.00
<input type="checkbox"/> CJC Treatment Court Grant	_____
<input type="checkbox"/> County General Fund	_____
<input type="checkbox"/> Supervision Fees	_____
<input type="checkbox"/> Biennial Carryover (GIA, M57, FSAPP)	_____
<input type="checkbox"/> Other Fees (revenue)	_____
<input type="checkbox"/> Other State or Federal Grant	_____
Other: Please Identify	
<input checked="" type="checkbox"/> Biennial Carryover-GF	\$779,828.00
<input checked="" type="checkbox"/> Grant in Aid Supplemental	70,591
<input type="checkbox"/>	_____

Additional Comments:

Program Name:	Sex Offender Program Services
Program Description:	<p>Sex Offender Services / Treatment</p> <p>This program provides contracted sex offender treatment services for indigent individuals. All sex offender treatment groups are cognitive-based programs designed to address thinking errors and thereby change behavior. Individuals may be required to pay a portion of treatment services based on a sliding fee scale; no individual is refused services due to inability to pay. Sex offender treatment services include individual assessment and evaluation, a long-term sex offender treatment group, a shorter-term treatment and intervention group for non-paraphilic offenders, individual counseling, and an aftercare group. Sex offenders attend weekly or bi-weekly meetings. The length of time in treatment can range from 9 months to years depending on the individual's risk to the community, and their compliance with treatment and other conditions of supervision.</p> <p>Sex Offender Services / Polygraph Examinations</p> <p>Polygraph examinations are conducted by a contracted polygraph examiner, specially trained and certified to perform this task. Polygraphs are used as a means of supervising sex offenders to deter illegal acts, provide early detection of prohibited conduct, and as a tool in sex offender treatment programming. Sex offenders are required to pass a full sexual history disclosure polygraph in order to successfully complete sex offender treatment. Polygraphs are also given every six months for maintenance compliance for sex offenders engaged in treatment, and yearly for sex offenders who have completed treatment. Specific incident polygraphs are also given when there is suspected prohibited activity. Polygraph examinations may also be used as a supervision tool for individuals convicted of other offenses within the capacity limits of the program. All indigent sex offenders are referred to a contracted polygraph examiner; justice involved individuals who have the ability to pay may be referred to a private polygraph examiner.</p>
Program Category:	Behavioral Health Tx Services - Sex Offender Tx
Program Objectives:	<ol style="list-style-type: none"> 1. All sex offenders will be evaluated by an approved treatment provider and referred to treatment as recommended by the evaluator. 2. Sex offenders will submit to polygraph examination in conjunction with sex offender treatment. 3. The focus is to diminish JII's anti-social attitudes and beliefs by utilizing cognitive behavioral interventions to address risk factors. 4. 95% of eligible sex offenders will undergo a polygraph examination every 6 months. 5. 95% of eligible sex offenders involved in the Benton County Sex Offender Treatment Group will undergo a full sexual history disclosure polygraph. 6. 95% of all sex offenders involved in the Benton County Sex Offender Treatment Group will pass a full sexual history disclosure polygraph before successfully completing treatment. 7. 95% of eligible sex offenders who have completed treatment will submit to yearly maintenance polygraph exams.
Method(s) of Evaluation:	Statewide Outcome Measures; internal caseload audits

Monthly Average to be Served: 50

Type of Offender(s) Served:

- Probation
- Parole/Post-Prison
- Local Control

Crime Category:

- Felony
- Misdemeanor

Gender:

- Male
- Female

Risk Level:

- High
- Medium
- Low

Which Treatment Provider(s) Will You Use Within This Program?

Provider Name	Treatment Type <small>(ie., Anger Management, Cognitive, DV, Dual Diagnosis, Sex Offender, Inpatient Substance Abuse, or Outpatient Substance Abuse)</small>	What, if any, state dollars are budgeted to the program and how much to each fund? <small>(ie., GIA-\$25,000; M57-\$5000)</small>
Karen Cox Counseling, Inc.	Sex Offender Treatment	GIA-\$24,353

Funding Sources

<input checked="" type="checkbox"/> State Grant-In-Aid Fund	<u>\$24,353.00</u>
<input type="checkbox"/> DOC M57 Supplemental Fund	<u> </u>
<input type="checkbox"/> CJC Justice Reinvestment Grant	<u> </u>
<input type="checkbox"/> CJC Treatment Court Grant	<u> </u>
<input type="checkbox"/> County General Fund	<u> </u>
<input checked="" type="checkbox"/> Supervision Fees	<u>\$43,235.00</u>
<input type="checkbox"/> Biennial Carryover (GIA, M57, FSAPP)	<u> </u>
<input checked="" type="checkbox"/> Other Fees (Polygraph Fees)	<u>\$15,647.00</u>
<input type="checkbox"/> Other State or Federal Grant	<u> </u>
Other: Please Identify	
<input type="checkbox"/>	<u> </u>
<input type="checkbox"/>	<u> </u>
<input type="checkbox"/>	<u> </u>

Additional Comments:

Program Name:	Subsidy / Transition Services
Program Description:	Subsidy / Transition Services This program provides indigent individuals with short-term financial assistance to ensure a smooth transition from custody to the community. This program may provide financial assistance for transitional housing, food, work-related clothing, haircuts, medication, transportation, education, and crisis intervention. Additionally, the program provides financial assistance to facilitate the placement of certain indigent individuals into residential substance abuse treatment programs. Each case is screened to determine if they pose a substantial risk to public safety.
Program Category:	Transition Services
Program Objectives:	1. Placement of transitional individuals in stable and appropriate housing; increase supervision compliance; increase ability to locate justice involved individuals; increase public safety; reduce recidivism. 2. All other related requests for subsidy, including re-entry subsidy requests, will be evaluated and reasonable requests forwarded to the Director for final consideration.
Method(s) of Evaluation:	Statewide Outcome Measures; internal caseload audits

Monthly Average to be Served: 10

Type of Offender(s) Served:

- Probation
- Parole/Post-Prison
- Local Control

Crime Category:

- Felony
- Misdemeanor

Gender:

- Male
- Female

Risk Level:

- High
- Medium
- Low

Which Treatment Provider(s) Will You Use Within This Program?

Provider Name	Treatment Type <small>(ie., Anger Management, Cognitive, DV, Dual Diagnosis, Sex Offender, Inpatient Substance Abuse, or Outpatient Substance Abuse)</small>	What, if any, state dollars are budgeted to the program and how much to each fund? <small>(ie., GIA-\$25,000; M57-\$5000)</small>

Funding Sources

- State Grant-In-Aid Fund _____
- DOC M57 Supplemental Fund _____
- CJC Justice Reinvestment Grant _____
- CJC Treatment Court Grant _____
- County General Fund _____
- Supervision Fees _____
- Biennial Carryover (GIA, M57, FSAPP) _____
- Other Fees (revenue) _____
- Other State or Federal Grant _____
- Other: Please Identify
- Transitional Fund \$10,441.00 _____
- _____



Additional Comments:

Program Name:	Evidence Based Programming
Program Description:	<p>Evidence Based Programming</p> <p>Evidence-based cognitive behavioral programs are facilitated by specially trained Parole and Probation Officers. The purpose of evidence-based programming is intended to assist individuals through stages of change, building cognitive skills, address related behaviors, and prepare the individual for a pro-social change. The programming is highly interactive and engages participants in curriculum that assists them in examining their thoughts, behavior, and core values. These programs are primarily available to medium and high risk supervised individuals. Evidence-based cognitive behavioral programs will also include Cognitive Behavioral Intervention – Substance Abuse and Employment, Thinking for a Change, and Motivational Enhancement Therapy. Programs are offered several times throughout the year. JII's may be referred to cognitive restructuring programs by the supervising officer with input from the sentencing authority and individual client.</p>
Program Category:	Behavioral Health Tx Services - CBT
Program Objectives:	1. The program objective is to break down resistance to change, increase pro-social decisions and behaviors, and to move toward readiness to complete any required treatment programming.
Method(s) of Evaluation:	Statewide Outcome Measures; internal caseload audits

Monthly Average to be Served: 12

Type of Offender(s) Served:

- Probation
- Parole/Post-Prison
- Local Control

Crime Category:

- Felony
- Misdemeanor

Gender:

- Male
- Female

Risk Level:

- High
- Medium
- Low

Which Treatment Provider(s) Will You Use Within This Program?

Provider Name	Treatment Type <small>(ie., Anger Management, Cognitive, DV, Dual Diagnosis, Sex Offender, Inpatient Substance Abuse, or Outpatient Substance Abuse)</small>	What, if any, state dollars are budgeted to the program and how much to each fund? <small>(ie., GIA-\$25,000; M57-\$5000)</small>
PO Facilitated	MET, T4C, CBI, CBI-EMPL	

Funding Sources

- State Grant-In-Aid Fund _____
- DOC M57 Supplemental Fund _____
- CJC Justice Reinvestment Grant \$46,928.00
- CJC Treatment Court Grant _____
- County General Fund _____
- Supervision Fees _____
- Biennial Carryover (GIA, M57, FSAPP) _____
- Other Fees (revenue) _____
- Other State or Federal Grant _____
- Other: Please Identify
- Biennial Carryover-GF _____
- _____



Additional Comments:

Program Name:	Transition Center
Program Description:	<p>Transition Center</p> <p>The Transition Center is a highly structured, safe, clean and sober living environment designed to house up to six indigent individuals at any given time. The Transition Center is comprised of two apartments and is monitored by a Parole and Probation Officer as well as part-time Case Monitors. The Transition Center is staffed nights and weekends, including holidays. Transition Center residents are required to submit to frequent drug and alcohol testing, daily residence/property checks, mandatory curfew, household cleaning responsibilities, and weekly community service assignments in lieu of rent. Residents must be involved in any recommended programming including substance abuse treatment, sex offender treatment, job search, and cognitive programming. Individuals may remain at the Transition Center approximately 90 days or more providing they are working toward self-sufficiency and in compliance with the program.</p>
Program Category:	Transition Services
Program Objectives:	<p>1. Provide transitional housing and intensive programming to individuals.</p> <p>2. Evaluate individuals pending release from DOC or Local Control incarceration for placement at the Transition Center. Alternative subsidy funding may be considered only if it is determined the offender is not eligible for the Transition Center or a bed is not available.</p>
Method(s) of Evaluation:	Internal review / caseload audits

Monthly Average to be Served: 6

Type of Offender(s) Served:

- Probation
- Parole/Post-Prison
- Local Control

Crime Category:

- Felony
- Misdemeanor

Gender:

- Male
- Female

Risk Level:

- High
- Medium
- Low

Which Treatment Provider(s) Will You Use Within This Program?

Provider Name	Treatment Type <small>(ie., Anger Management, Cognitive, DV, Dual Diagnosis, Sex Offender, Inpatient Substance Abuse, or Outpatient Substance Abuse)</small>	What, if any, state dollars are budgeted to the program and how much to each fund? <small>(ie., GIA-\$25,000; M57-\$5000)</small>

Funding Sources

- State Grant-In-Aid Fund _____
 - DOC M57 Supplemental Fund _____
 - CJC Justice Reinvestment Grant \$86,139.00
 - CJC Treatment Court Grant _____
 - County General Fund _____
 - Supervision Fees _____
 - Biennial Carryover (GIA, M57, FSAPP) _____
 - Other Fees (revenue) _____
 - Other State or Federal Grant _____
- Other: Please Identify
- Transitional Program (Levy) \$629,216.00



Additional Comments:

Program Name:	Custodial/Sanction Beds
Program Description:	Custodial/Sanction Beds
Program Category:	Custodial/Sanction Beds
Program Objectives:	Custody/Sanction beds To provide sanctioning capacity for violations of supervision (felony and misdemeanor "designated drug and/or person misdemeanors") and sentenced SB1145 offenders.
Method(s) of Evaluation:	

Monthly Average to be Served: 10

Type of Offender(s) Served:

- Probation
- Parole/Post-Prison
- Local Control

Crime Category:

- Felony
- Misdemeanor

Gender:

- Male
- Female

Risk Level:

- High
- Medium
- Low

Which Treatment Provider(s) Will You Use Within This Program?

Provider Name	Treatment Type <small>(ie., Anger Management, Cognitive, DV, Dual Diagnosis, Sex Offender, Inpatient Substance Abuse, or Outpatient Substance Abuse)</small>	What, if any, state dollars are budgeted to the program and how much to each fund? <small>(ie., GIA-\$25,000; M57-\$5000)</small>

Funding Sources

- State Grant-In-Aid Fund _____
- DOC M57 Supplemental Fund _____
- CJC Justice Reinvestment Grant _____
- CJC Treatment Court Grant _____
- County General Fund _____
- Supervision Fees _____
- Biennial Carryover (GIA, M57, FSAPP) _____
- Other Fees (revenue) _____
- Other State or Federal Grant _____
- Other: Please Identify
- _____
- _____
- _____

Additional Comments: The Benton County Sheriff's Office provides jail beds for 1145 jail sanctions through County Levy Fund dollars and is part of the overall Sheriff's Office budget. These jail beds are primarily rental beds at the Northern Oregon Regional Correctional Facilities (NORCOR) located in The Dalles, Oregon.

Program Name:	Work Crew / Community Service
Program Description:	Work Crew / Community Service This program provides the placement and monitoring of individuals ordered to perform work crew or community service as a condition of supervision. This program also provides alternative sanctions for individuals who violate the conditions of supervision. Work crew is imposed as a structured intermediate sanction in lieu of jail; individuals who fail to perform work crew are required to serve the days in jail. The work crew program operates through a partnership with the Benton County Jail. Community Corrections provides the Work Crew Coordinator position and administrative oversight, while the Benton County Jail provides the crew supervision. The Work Crew is also used as a sanction option for clients who are not on formal supervision (i.e. bench probation, municipal court, etc.).
Program Category:	Community Service and Work Crew
Program Objectives:	Provide a continuum of sanction and sentence capacity for designated drug and/or person misdemeanor offenders and felony offenders on probation, parole, and post-prison supervision.
Method(s) of Evaluation:	Internal review / caseload audits

Monthly Average to be Served: 35

Type of Offender(s) Served:

- Probation
- Parole/Post-Prison
- Local Control

Crime Category:

- Felony
- Misdemeanor

Gender:

- Male
- Female

Risk Level:

- High
- Medium
- Low

Which Treatment Provider(s) Will You Use Within This Program?

Provider Name	Treatment Type <small>(ie., Anger Management, Cognitive, DV, Dual Diagnosis, Sex Offender, Inpatient Substance Abuse, or Outpatient Substance Abuse)</small>	What, if any, state dollars are budgeted to the program and how much to each fund? <small>(ie., GIA-\$25,000; M57-\$5000)</small>

Funding Sources

- State Grant-In-Aid Fund \$48,213.00
- DOC M57 Supplemental Fund _____
- CJC Justice Reinvestment Grant _____
- CJC Treatment Court Grant _____
- County General Fund _____
- Supervision Fees _____
- Biennial Carryover (GIA, M57, FSAPP) _____
- Other Fees (revenue) _____
- Other State or Federal Grant _____
- Other: Please Identify
- _____
- _____



Additional Comments:

Benton County
2023-2025 Community Corrections Budget Summary

Program Name	Grant in Aid	Grant in Aid Supplemental	All Other Funds and Fees	Total
Administration (1)	\$478,122.00			\$478,122.00
Supervision (4) – Community Supervision, Transition Program/Rel Planning, SO Supervision	\$2,466,891.00	\$70,591.00	\$1,284,531 (\$779,828 Carryover)	\$3,822,013.00
Sex Offender Program Services (2) – Treatment, Polygraph Exams	\$24,353.00		\$58,882.00	\$83,235.00
Subsidy / Transition Services (1) – (Transitional Fund dollars)			\$10,441.00	\$10,441.00
Evidence Based Programming			\$46,928.00	\$46,928.00
Transition Center (1); (County levy dollars)			\$715,355.00	\$715,355.00
Work Crew/Community Service	\$48,213.00			\$48,213.00
Total	\$3,017,579.00	\$70,591.00	\$2,116,137.00	\$5,204,307.00

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 10/17/23

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Public Works

Contact Name * Gary Stockhoff

Phone Extension * 6010

Meeting Attendee Name * Gary Stockhoff

Agenda Item Details

Item Title * Requesting an Exemption from Competitive Bidding for the new Benton County Emergency Operations Center for the Use of the Construction Manager/General Contractor (CM/GC) Services of Contracting

Item Involves * Check all that apply

- Appointments
- Budget
- Contract/Agreement
- Discussion and Action
- Discussion Only
- Document Recording
- Employment
- Notice of Intent
- Order/Resolution
- Ordinance/Public Hearing 1st Reading
- Ordinance/Public Hearing 2nd Reading
- Proclamation
- Project/Committee Update
- Public Comment
- Special Report
- Other

Estimated Time * 15 min

Board/Committee Involvement * Yes
 No

Advertisement*

Yes

No

**Names/Dates of
Publications**

List each publication name and date

Gazette Times 10/19/23

Issues and Fiscal Impact

Item Issues and Description

Identified Salient Issues *

The Board of Commissioners will hold a Work Session on October 17, 2023, to discuss with the Board the information in attached Exhibit A. A Public Hearing will be held on November 7, 2023, for the purpose of taking comments on the findings for an exemption from the competitive bidding requirement. Attached Exhibit A outlines the Findings of Fact and Conclusions of Law.

Options *

- 1) Approve the request
- 2) Deny the request

Fiscal Impact *

- Yes
 No

Fiscal Impact Description *

The use of a CM/GC contracting method was previously selected for the Courthouse/DA project, and it was anticipated it would be used for constructing the remaining phases of the JSIP program. However, the other JSIP projects were not included with the first request for the Exemption from Competitive Bidding that was approved by the BOC in September 2022. To move away from the current CM/GC contractor and process at this time would negate cost savings from the CM/GC process, and the economy of scale to be realized from the continued use of CM/GC.

2040 Thriving Communities Initiative

Mandated Service?* Yes No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Mandated Service Description* If this agenda checklist describes a mandated service or other function, please describe here.
The County is required to have a courthouse by state statutes.

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values* Select all that apply.
 Vibrant, Livable Communities
 Supportive People Resources
 High Quality Environment and Access
 Diverse Economy that Fits
 Community Resilience
 Equity for Everyone
 Health in All Actions
 N/A

Explain Core Values Selections* The new Emergency Operations Center will be a critical component for the County's ability to be better prepared for emergencies in the future.

Focus Areas and Vision* Select all that apply.
 Community Safety
 Emergency Preparedness
 Outdoor Recreation
 Prosperous Economy
 Environment and Natural Resources
 Mobility and Transportation
 Housing and Growth
 Arts, Entertainment, Culture, and History
 Food and Agriculture
 Lifelong Learning and Education
 N/A

Explain Focus Areas and Vision Selection* The new Emergency Operations Center will be a critical component for the County's ability to be better prepared for emergencies in the future.

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations* Approval of the request and to set a Public Hearing.

Meeting Motions* I move to ...
set a Public Hearing on November 7, 2023, in the matter of Approval of Findings of Fact for Requesting an Exemption from Competitive Bidding for the new Benton County Emergency Operation Center for the Use of the Construction Manager/General Contractor (CM/GC) Services of Contracting

Recommendations and Motions

Staff Recommendations

Approval of the request and to set a Public Hearing.

Meeting Motions

I move to ...

... set a Public Hearing on November 7, 2023, in the matter of Approval of Findings of Fact for Requesting an Exemption from Competitive Bidding for the new Benton County Emergency Operation Center for the Use of the Construction Manager/General Contractor (CM/GC) Services of Contracting.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

CMGC Exemption.pdf






242.02KB

Comments (optional)

If you have any questions, please call ext.6800

**Department
Approver**

GARY STOCKHOFF

<p>1.</p> <p>Department Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	<p>5.</p> <p>BOC Final Approval</p> <hr/> <p>Comments</p> <p>Signature </p>
<p>2.</p> <p>Counsel Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>3.</p> <p>Finance Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>4.</p> <p>County Administrator Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR THE STATE OF OREGON, FOR THE COUNTY OF BENTON**

**In the Matter of Approving an Exemption from)
Competitive Bidding for the Benton County)
Emergency Operations Center for the use of the) Order D 2023-075
Construction Manager/General Contractor)
(CM/GC) Services of Contracting)**

I. Nature of the Proceeding

The above-entitled matter coming now for the consideration of the Board of Commissioners. The Board of Commissioners held a Worksession on October 17, 2023, and the Board of Commissioners held a duly advertised Public Hearing on November 7, 2023, at the Kalapuya Building, in the Holmes & Shipley Public Meeting Room, 4500 Research Way Corvallis, Oregon, with the evidence and testimony in Exhibit A having been duly considered, the Board finds as follows:

II. Findings of Fact

- 1) Notice pursuant to ORS 279C.335(5)(b) of a Public Hearing was published in the Corvallis Gazette Times on October 19, 2023.
- 2) The Board of Commissioners held a Worksession on October 17, 2023. The public hearing on the request was held on November 7, 2023, for the purpose of taking comments on the draft findings for an exemption from the competitive bidding requirement.
- 3) Attached Exhibit A outlines the Findings of Fact and Conclusions of Law.

III. Conclusions of Law

- 1) ORS 279C.335 are applicable to the request.
- 2) No public comments were received and there were no requests for an additional public hearing.

IV. Order

Based on the findings and conclusions, now, therefore, it is hereby ordered:

The Findings and Conclusions of Law" shown in Exhibit A for the CM/GC process for the Construction of the Emergency Operations Center project complies with the requirements of ORS 279C.335(2) for exemption of the project from competitive bidding is hereby approved.

Adopted this 7th day of November, 2023.

Signed this 7th day of November, 2023.

BENTON COUNTY BOARD OF COMMISSIONERS

Pat Malone, Chair

Xanthippe Augerot, Vice Chair

Nancy Wyse, Commissioner

Approved:

Vance Croney, County Counsel Date

Benton County, Corvallis Oregon**FINDINGS OF FACT****For Exemption from Competitive Bidding and the Use of the Construction Manager/General Contractor (CM/GC) Services of Contracting for***for***Benton County Emergency Operations Center (EOC)****1. General**

ORS 279C.335(2) permits a local contracting agency to exempt public improvement projects from traditional competitive bidding upon approval of Findings of Fact (“Findings”) showing that an alternative contracting process is a) unlikely to encourage favoritism or diminish competition and that b) the process will result in substantial benefit to the local contracting agency.

ORS 279C.400 – ORS 279C.410 describe the Request for Proposals method of solicitation as an alternative to traditional competitive bidding. Pursuant to ORS 279C.410(8), a public Agency using the Request for Proposals method may award a contract to the responsible proposer “whose proposal is determined in writing to be the most advantageous to the contracting agency based on the evaluation factors set forth in the request for proposals and, when applicable, the outcome of any negotiations authorized by the request for proposals.”

ORS 279C.330 defines “Findings” and identifies specific information to be provided as a part of Benton County’s justification. Under ORS 279C.335(5) a public hearing must be held before the findings are adopted, allowing an opportunity for interested parties to comment on the draft findings.

2. Market Conditions

The current regional and local construction market is navigating unprecedented challenges, including labor shortages, global – local supply chain issues, as well as multiple public projects slated for construction over the coming year.

In consideration of these circumstances, Benton County utilized CM/GC Services, an alternate method of contracting, based on the Findings of Fact for the Benton County Courthouse and District Attorney’s office.

FINDINGS OF FACT**SPECIFIC FINDINGS, ARE AS FOLLOWS:**

1. The CM/GC was selected through a competitive process in accordance with the qualifications-based selection process authorized by Benton County Board of Commissioners. Therefore, it is in the best interest of the County to add the EOC to the existing Hoffman Construction Company CM/GC contract as allowed for in the CMGC RFP dated 2022.11.15 This finding is supported by the following:
 - A. SOLICITATION PROCESS:** Pursuant to ORS 279C.360, the CM/GC solicitation was advertised in the Daily Journal of Commerce, as well as The Gazette Times in September 2022.
 - B. FULL DISCLOSURE:** To ensure full disclosure of all information, the Request for Proposals solicitation package included:
 - a. Detailed Description of the Project
 - b. Contractual Terms and Conditions
 - c. Selection Process
 - d. Evaluation Criteria
 - e. Role of Selection Committee
 - f. Provisions for Comments
 - g. Complaint Process and Remedies Available
 - C. COMPETITION:** As outlined below, the County followed processes which maintained competition in the procurement of a CM/GC.
 - a. The County anticipated that competition for the contract would be similar to that experienced in other Projects of this type. The competition remained open to all qualifying proposers.
 - b. The selection and solicitation process employed was open and impartial. Selection was made on the basis of final proposal scores derived from qualifications, price, and other components, which expanded the ground of competition beyond price alone to include experience, quality, and approach to market conditions.
 - c. The competitive process used to award subcontracts for all competitively bid construction work is specified in the CM/GC contract and will be monitored by the County. The County designated in the contract the proposed percentage of construction work that must be subcontracted and may not be self-performed by the CM/GC. The CM/GC contract complies with the subcontractor competition requirements in ORS 279C.337.
 - D. SELECTION PROCESS:** Other highlights of the selection process included:
 - a. A mandatory Pre-Proposal Conference was held. This conference was open to all interested parties. During this Pre-Proposal Conference, as well as any time prior to five (5) business days before the close of the solicitation, interested parties were able to ask questions, request clarifications and suggest changes in the solicitation documents if such parties believed that the terms and conditions of the solicitation were unclear, inconsistent with industry standards, or unfair and unnecessarily restrictive of competition.

- b. The evaluation process was to determine whether a proposal met the screening requirements of the RFP, and to what extent. The following process was used:
 - i. Proposals were evaluated for completeness and compliance with the screening requirements of the RFP.
 - ii. Proposals considered complete and responsive were evaluated to determine if they met and complied with the qualifying criteria of the RFP.
 - iii. Proposals were independently scored by the voting members of the Selection Committee. Scores were then combined and assigned to each proposal.
 - iv. The Selection Committee convened to select from the highest-scoring proposers, finalists for formal interviews.
 - v. The Selection Committee conducted the interviews with the short-listed proposers.
 - vi. The Selection Committee used the interview to confirm the scoring of the proposal and to clarify any questions. Based upon the revised scoring, the Selection Committee ranked the proposers and provided an award recommendation.
 - vii. Benton County negotiated a contract with the top-ranked firm. An agreement was reached with Hoffman Construction Company.
 - c. Competing proposers were notified in writing of the selection of the apparent successful proposer and given seven (7) calendar days after receipt of the notice to file any questions, concerns, or protests about the selection process. No protests were filed.
 - d. The contract achieved through this process requires the CM/GC to use an open competitive selection process to bid all components of the job. The CM/GC's general conditions and fee make-up of the total cost were evaluated as one of the scoring criteria. General Conditions include supervision, bonding, insurance, and mobilization, are within the current industry standard range. The CM/GC's fee is within the industry's standard range for a project of this size. The entire value of the project will be awarded through open, competitive processes, at either the general contractor and/or the subcontractor level.
2. **The awarding of a construction contract for the Project using CM/GC method offers the County critical construction expertise and value to the Project. This finding is supported by the following information required by ORS 279C.335(2)(b) and ORS 279C.330.**

- A. **SPECIALIZED EXPERTISE:** Early selection of Hoffman Construction Company creates more informed, better-quality decision making by the project team. A more efficient design and construction team saves the County money and helps the team anticipate and mitigate challenges in the current construction market.

This exemption has allowed Benton County to proactively seek construction and constructability expertise during the design process, well in advance of the standard competitive bid timeline, to address the complexities of existing conditions and the current construction market, to help inform the best decisions on behalf of the County. Value will be added to the Project, via early and time-critical construction expertise, that could not otherwise be obtained to the same depth, duration, or quality.

- a. **DESIGN COORDINATION:** Use of the CM/GC method in conjunction with the team approach results in a better coordinated Project. By having the CM/GC part of the project team early, the CM/GC has time to fully evaluate and understand the intended design direction prior to start of construction. This information informs design direction and approach to site logistics and safety and security measures during construction.

- b. The CM/GC clarifies several critical variables valuable to the Project design. The CM/GC will guarantee the maximum price (GMP) to complete the Project; determines the construction schedule; establishes the sequence of work; is contractually bound to implement the final Project design within the GMP; and participates as an essential member of the Project design and construction team. By utilizing the Request for Proposal selection process, which allows the County to consider factors such as experience and expertise in addition to price, the County ensured that the selected CM/GC is a competent addition to the team.

The CM/GC helps assess material selections relative to lead time issues, best opportunities to secure subcontractors and labor for trade coverage, better pricing, and will help discuss and/or adjust the work plan to address project and construction market needs. This component cannot be addressed by the usual design/bid/build method of construction because selection is typically based on the lowest bidder and occurs at the completion of the design process.

- c. **CONSTRUCTION COORDINATION:** A CM/GC participating on this Project would provide timely assistance and support to the development of the design and the most suitable approach to utilize existing mobilized teams already working on the Courthouse.
- d. **MARKET CONDITIONS:** As well as the multitude of construction market factors that currently exist today in Oregon and Washington (e.g., supply chain and lead time issues, construction labor shortages, significant competition of and with other projects), the difficulty in establishing the best work sequence complicates our ability to accurately estimate the cost of this Project. The current construction market challenges the interest and capacity for contractors to bid for jobs. CM/GC Services, an alternative contracting method, will be more likely to result in a more experienced and better suited contractor for this Project than the usual competitive/low bid procurement.

B. OPERATIONAL, BUDGET, FINANCIAL DATA

- a. **BUDGET:** The County has a fixed budget available for the EOC Project, as well as a desired “as soon as possible” project delivery date. Early reliable pricing provided by the CM/GC, as well as scheduling and procuring help with long lead items during the design phase will allow for the potential to mitigate later related challenges.
- b. **LONG TERM COSTS:** The Project will require expertise regarding the constructability and long-term cost/benefit analysis of innovative design. This knowledge is best obtained directly from the construction industry. Many decisions will be required during the design process that will encompass immediate feedback on constructability and pricing. Under the traditional design-bid-build process, there is a high risk of increased change orders and schedule impacts for a Project of this size and complexity. Since there are significant costs associated with delay, time is of the essence. Because the contractor participates during the design phase, the CM/GC process will assist in providing a scope of work, constructible design and phasing solutions that best meet the requirements of the Project with significantly lower risk to the Project costs. Involving the CM/GC during design will also allow Project risks to be addressed early and teamwork between the County, the design consultants, and the construction contractor (CM/GC) to minimize those risks.
- c. **FEWER CHANGE ORDERS:** When the CM/GC participates in the design process, fewer change orders occur during project construction. This is due to the CM/GC’s better understanding of the owner’s needs, and the architectural and engineering team’s intent. As a result, the Project is more likely to be completed on time and within budget. In addition, fewer change orders reduce the administrative time and costs of project management for both the County and the contractor.
- d. **GMP CHANGE ORDERS COST LESS:** CM/GC change orders will be processed at a lower cost under the GMP. The design-bid-build method typically results in the contractor charging

15%+ markup on construction change orders. The GMP method applies lower predetermined markups.

- e. **POTENTIAL SAVINGS:** Under the GMP method the County will enjoy the full savings if actual costs are below the GMP. When the CM/GC completes the Project, any savings between the GMP and the actual cost accrue to the County.
- f. **CONTRACTOR'S FEE IS LESS:** Contracts with CM/GC's are designed to create a better working relationship with the contractor. Consequentially, the overhead and profit fee is typically slightly lower than the fee anticipated on similar design-bid-build contracts.

C. ADDITIONAL PUBLIC BENEFITS

- a. **TIME SAVINGS:** The use of CM/GC as an alternative contracting method allows for more streamlined construction documents, in lieu of a fully bid set where everything needs to be documented for pricing. This will help streamline the project and the completion date.
- b. **COST SAVINGS:** The Project will benefit from the active involvement of a CM/GC contractor during the design process in the following ways:
 - i. The contractor's input regarding material availability and lead times, as well as the cost-effectiveness of various alternatives will guide the design toward the most economic choices.
 - ii. Consideration of the specific equipment available to the contractor will allow the designer to implement solutions that utilize the capacity and availability of that equipment.
 - iii. The contractor will be able to provide current and reliable information regarding the cost of materials that are experiencing price volatility and the availability of scarce materials.
 - iv. The contractor will also be able to order materials while design is being completed in order to avoid inflationary price increases and/or lead time issues, to mitigate the lead-times that may be required for scarce materials.
- c. **GUARANTEED MAXIMUM PRICE (GMP) ESTABLISHES A MAXIMUM PRICE PRIOR TO COMPLETION OF DOCUMENTS:** The CM/GC will be able to obtain a complete understanding of the County's needs, the architect's design intent, the scope of the Project, and the operational needs of the Project by participating in the construction document phase. With the CM/GC participating in this phase they will be able to offer suggestions for improvement and make suggestions that will reduce costs. With the benefit of this knowledge, the CM/GC will also be able to guarantee a maximum price to be paid by the County for constructing the Project.

D. VALUE ENGINEERING

- a. **WITH THE DESIGN-BID-BUILD PROCESS:** If the County were to utilize the design-bid-build method, the contractor would not participate in this evaluation. In conducting value engineering under the design-bid-build approach, a value engineering consultant is hired to participate in the design and cost evaluation process. This process adds extra costs and administrative complications, without providing the same benefits of early and committed construction contractor participation.
- b. **WITH CM/GC:** The CM/GC process offers a unique opportunity for value engineering that is not possible through the design-bid-build process. Value engineering is the means used to determine the best project design that meets the needs and priorities of the owner, within the owner's budget. Value engineering is done most effectively by a team consisting of the owner, architect, consultants, and the contractor. When the contractor participates, the team can render the most comprehensive evaluation of all factors that affect the cost, quality, and schedule of the project.

- i. The CM/GC method has the benefit of:
- the ability to best set/anticipate the schedule within these current market conditions,
 - the ability to anticipate long lead items and how to best gain subcontractor commitment to this project,

Through integrated participation, a project's scope and design evolve that has greater value for the owner and is not likely to be the same project or product created by the design-bid-build method.

CONCLUSIONS OF LAW

The above "Findings" show that the CM/GC process for the Construction of the Emergency Operation Center (EOC) project complies with the requirements of ORS 279C.335(2) for exemption of the project from competitive bidding.

BOC Agenda Checklist Master

Agenda Placement and Contacts

Suggested Agenda Date 10/17/23

View [Agenda Tracker](#)

Suggested Placement * BOC Tuesday Meeting

Department * Public Works

Contact Name * Gary Stockhoff

Phone Extension * 6010

Meeting Attendee Name * Gary Stockhoff, Brad Dillingham

Agenda Item Details



Item Title * Review and Approval of the Benton Area Transit, 2023 Title VI Plan Update

Item Involves *

- Check all that apply
- Appointments
 - Budget
 - Contract/Agreement
 - Discussion and Action
 - Discussion Only
 - Document Recording
 - Employment
 - Notice of Intent
 - Order/Resolution
 - Ordinance/Public Hearing 1st Reading
 - Ordinance/Public Hearing 2nd Reading
 - Proclamation
 - Project/Committee Update
 - Public Comment
 - Special Report
 - Other

Estimated Time * 20 minutes

Board/Committee Involvement *
 Yes
 No

Advertisement*

- Yes
 No

Item Issues and Description

Identified Salient Issues *

The County is required to update the Title VI Plan every three years. The last update of the plan occurred in 2017. The update of the plan was delayed due to the pandemic, and subsequent challenges that resulted from the pandemic. Staff initiated the update of the plan, and was nearing completion of the update when the issue was flagged as part of the recent operational audit.

Completion of the plan update was expedited, and then furnished to the FTA and ODOT for their review. Both agencies have approved the 2023 Title VI Plan update for Benton Area Transit.

Options *

- 1) Approve the update as proposed, and/or as amended; or
- 2) Reject the update and provide direction to staff on modifications to be made.

Fiscal Impact *

- Yes
- No

Fiscal Impact Description *

The update of the Title VI Plan for Benton Area Transit is required to ensure the County is in compliance with FTA requirements, and the receipt of federal funds.

2040 Thriving Communities Initiative

Mandated Service? * Yes No

2040 Thriving Communities Initiative

Describe how this agenda checklist advances the core values or focus areas of 2040, or supports a strategy of a departmental goal.

To review the initiative, visit the website [HERE](#).

Mandated Service Description * If this agenda checklist describes a mandated service or other function, please describe here.
The update of the Title VI Plan for Benton Area Transit is required to ensure the County is in compliance with FTA requirements, and the receipt of federal funds.

Values and Focus Areas

Check boxes that reflect each applicable value or focus area and explain how they will be advanced.

Core Values * Select all that apply.
 Vibrant, Livable Communities
 Supportive People Resources
 High Quality Environment and Access
 Diverse Economy that Fits
 Community Resilience
 Equity for Everyone
 Health in All Actions
 NA

Explain Core Values Selections * The introduction of the Title VI Plan for Benton Area Transit states clearly that Benton County is committed to ensuring that no person shall, on grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity provided by Benton County.

Focus Areas and Vision * Select all that apply.
 Community Safety
 Emergency Preparedness
 Outdoor Recreation
 Prosperous Economy
 Environment and Natural Resources
 Mobility and Transportation
 Housing and Growth
 Arts, Entertainment, Culture, and History
 Food and Agriculture
 Lifelong Learning and Education
 NA

Explain Focus Areas and Vision Selection * The Title VI Plan, and the updating of the plan, is required by the Federal Transit Administration as part of operating Benton Area Transit.

Recommendations and Motions

Item Recommendations and Motions

Staff Recommendations* Staff recommends the Board of Commissioners review the proposed update and approve the plan.

Meeting Motions* I move to ...
...approve the 2023 Title VI Plan Update.

Recommendations and Motions

Recommendation

Staff recommends the Board of Commissioners review the proposed update and approve the plan.

Motion

I move to ...

... approve the 2023 Title VI Plan Update.

Attachments, Comments, and Submission

Item Comments and Attachments

Attachments

Upload any attachments to be included in the agenda, preferably as PDF files. If more than one attachment / exhibit, please indicate "1", "2", "3" or "A", "B", "C" on the documents.

BAT - Title VI Plan Update - 2023.pdf






578.79KB

Comments (optional)

If you have any questions, please call ext.6800

**Department
Approver**

GARY STOCKHOFF

<p>1.</p> <p>Department Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	<p>5.</p> <p>BOC Final Approval</p> <hr/> <p>Comments</p> <p>Signature </p>
<p>2.</p> <p>Counsel Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>3.</p> <p>Finance Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	
<p>4.</p> <p>County Administrator Approval</p> <hr/> <p>Comments</p> <p>Signature </p>	



**BENTON AREA
TRANSIT**

2023

Title VI



Benton Area Transit
October 2023

RECIPIENT INFORMATION

RECIPIENT: Benton County, OR

EXPIRATION YEAR: 2023-2026

CONTACT INFORMATION:

Brad Dillingham, CCTM
Special & Rural Transportation Coordinator
Brad.Dillingham@CorvallisOregon.gov
Phone: 541-754-1748

Lisa Scherf, PE
Public Transportation Services Supervisor
Lisa.Scherf@CorvallisOregon.gov
Phone: 541-754-1759

Gary Stockhoff, PE
Public Works Director
Gary.Stockhoff@bentoncountyor.gov
Phone: 541-766-6010

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City of Corvallis Limited English Proficiency Outreach Plan.Error! Bookmark not defined.

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Introduction

In Accordance with Title VI of the Civil Rights Act of 1964, this program reflects Benton County's commitment to ensuring that no person shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity provided by Benton County.

Signed Policy Statement

A policy statement signed by the Benton County Title VI Coordinator's assuring Benton Area Transit (BAT)'s compliance with Title VI of the Civil Rights Act of 1964 can be found as **Attachment A**.

Title VI Notice to the Public

The Benton County Title VI Notice to the Public shall be posted at the following locations. A copy of the public notice can be found as **Attachment E**:

- Benton Area Transit website:
<https://www.co.benton.or.us/ridethebat/page/title-vi-non-discrimination-program>
- City of Corvallis Public Works Office
- Benton County Board of Commissioners Office
- On-board BAT buses

Title VI Complaint Procedures

Benton County has a standard process for investigating all complaints. Members of the public may file a signed, written complaint up to one hundred eighty (180) days from the date of alleged discrimination. Full procedures for filing a complaint and the County's procedures for investigating complaints can be found as **Attachment B**. At a minimum, the complaint shall include the following information:

- Name, mailing address, and how to contact complainant (i.e., telephone number, e-mail address, etc.)
- How, when, where, and why complainant alleges s/he was discriminated against. Include the location and names and contact information of any witnesses.
- Other significant information.

The complaint may be filed in writing with BAT at the following address:

Benton Area Transit
 Title VI Coordinator
 Benton County Public Works
 360 SW Avery Ave
 Corvallis, OR 97333
 by Phone: 541-766-6700
 By Facsimile: 541-766-6891

A sample Title VI Complaint Form can be found as **Attachment C**

Record of Title VI investigations, Complaints, or Lawsuits

Benton County will maintain a list of any and all transit related Title VI investigations, complaints, and lawsuits. The most current list shall be kept and maintained at the Benton County Public Works Office the located at 360 SW Avery Ave, Corvallis, OR 97333. However, a list of complaints since 2017 is below.

LIST OF TITLE VI COMPLAINTS

As of 8/17/2023, no Title VI Complaints have been filed since the last Title VI Program Update in 2017.

Minority Representation on Non-elected Bodies

Benton County encourages the participation of minorities in proportion to the minority makeup of the service area. Benton County has one advisory committee associated with its transit program. Below is a table documenting the racial composition of the membership for this committee:

Statewide Transportation Improvement Fund (STIF) Advisory Committee

Member	Represents	Ethnicity
H.B.	Seniors	Caucasian
C.P.	People with Disabilities	BIPOC
G.G.	Transportation Provider	Caucasian
J.C.	People with Low-Income	Caucasian
R.K.	Bike/Pedestrian Advocate	Caucasian
H.H.	Environmental Advocate	Caucasian
D.R.	Bike/Pedestrian Advocate	Caucasian
M.W.	Educational Institution	Caucasian

N.M. Local Government Caucasian

Title VI Public Participation Plan

Benton County shall strive to include minority and LEP (Limited English Proficiency) individuals in its decision making processes. This includes outreach to minority groups in Benton County and its surrounding area.

Based on the demand for alternate language services, and considering the limited budget of the Benton County programs, other activities and services that will be developed in the next three years include:

- Transit surveys conducted by Benton County will be available in Spanish
- Future route maps will be available in English and Spanish
- The existing telephone system will be modified to provide announcements in both English and Spanish
- Local translation services will be contacted and, if feasible, placed on retainer

Benton County's outreach and marketing initiatives have yielded a list of community organizations that serve populations with limited English proficiency. The following list of community organizations will be contacted to assist in gathering information and see what services are most frequently sought by the LEP population:

- Corvallis Public School District
- Benton County Health Department
- Hispanic Advisory Council
- Corvallis Area Chamber of Commerce
- Casa Latinos Unidos

In addition to these activities, BAT will continue to encourage public participation, especially from LEP communities, using the following strategies:

- Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities, along our public transit routes
- Employing different meeting sizes and formats
- Coordinating with community- and faith- based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities
- Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts

- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments

Summary of Ongoing Public Participation Efforts and Outreach

Since the last Title VI reporting submission, Benton County conducted the following public outreach and involvement activities:

In accordance with Oregon public meeting law, all public meetings including transportation planning meetings are open to the general public. Accommodations are available for those with limited English proficiency if requested in advance of the meeting.

General Awareness and Phone Surveys

We conduct onboard rider and general awareness surveys frequently, and the County conducts community surveys at regular intervals. The most recent community survey was conducted in 2020 and was available in Spanish. Future community surveys and transit surveys will be available in Spanish.

Bilingual Outreach

The County maintains a list of fluent Spanish-speaking employees, and can contract for Spanish interpreters if necessary.

Schedules translated in Spanish

The current service schedule includes a Spanish section. New service schedules will be provided in English and Spanish and made available via paper brochures and on the Benton Area Transit website.

Primary recipients and monitoring sub recipients

Benton Area Transit does not have subrecipients at this time. However, BAT will continue to monitor its contractor for services for compliance with these provisions.

Title VI equity analysis

There are no current planned facilities or construction projects that require a Title VI equity analysis.

Service Standards

Vehicle Load for Each Mode Standard (expressed as a ratio)

The vehicle load standards by mode for Benton Area Transit are: Vehicle Load Standards are expressed as a ratio. (A 26- passenger bus that allows 5 standees would have a load standard of 1.2)

Fixed Route (26 passenger bus)	1.2
Demand- Response (5 passenger van)	.2

Vehicle Headway for Each Mode (Time between vehicles on same route)

Fixed Route (26 passenger bus)	120 mins
Demand- Response (5 passenger van)	N/A

On Time Performance for Each Mode

	May Run Early (yes/no)	On- time Consideration
Fixed Route	NO	<10 minutes behind
Demand- Response	YES	(+or -) 15 minutes

Service Availability for Each Mode

Benton Area Transit strives to provide equitable service availability to customers within the service area. **Distribution of Transit Amenities**

Benton Area Transit has a policy to distribute transit amenities equally across the system. Any new amenities will be distributed equally across the system without regard to race or national origin of users from that service area. This applies to:

- Seating and benches at stops and stations
- Bus shelters
- Provision of information including maps, route maps, and schedules
- Waste receptacles

Vehicle Assignment

Benton Area Transit sets a policy of vehicle assignment without regard to race, color, national origin, religion age, marital status, sexual orientation, or disability of users from that service area. All Benton County- owned vehicles are ADA- Accessible. Age of the vehicles will only be considered a factor when assigning vehicles to longer- distance routes. Vehicle size is considered depending on the expected level of demand for service.

Attachment A

**Benton County
TITLE VI**

**NON-DISCRIMINATION
POLICY STATEMENT**

August 23, 2023

Under Title VI of the Civil Rights Act of 1964 and related authorities:

“No person in the United States shall, on the grounds of race, color, sex, age, limited English proficiency, disability, income level, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Benton County is committed to complying with the requirements of Title VI in all of its programs and activities. Questions and complaints may be reported to Title VI Coordinator, at 541- 766- 6700; by email to BAT@co.benton.or.us; or by letter to 360 SW Avery Ave, Corvallis, OR 97339.

Brad Dillingham, Title VI Coordinator

Attachment B

Discrimination Complaint Procedure

1. Any person who believes that he or she, has been subjected to discrimination prohibited by the Americans with Disabilities Act (ADA) or Title VI of the Civil Rights Act of 1964, may file a complaint with Benton Area Transit (BAT). A complaint may also be filed by a representative on behalf of such a person. All complaints will be referred to the Benton County Title VI Coordinator for review and action.
2. In order to have the complaint considered under this procedure, the complainant must file the complaint no later than 180 days after: a) The date of alleged act of discrimination; or b) Where there has been a continuing course of conduct, the date on which that conduct was discontinued. In either case, the Title VI Coordinator may extend the time for filing or waive the time limit in the interest of justice, as long as the Title VI Coordinator specifies in writing the reason for so doing.
3. Complaints shall be in writing and shall be signed by the complainant and/or the complainant's representative. Complaints shall set forth as fully as possible the facts and circumstances surrounding the alleged discrimination. In the event that a person makes a verbal complaint of discrimination to an officer or employee of Benton County, the person shall be interviewed by the Benton County Title VI Coordinator. If necessary, the Title VI Coordinator will assist the person in reducing the complaint to writing and submit the written version of the complaint to the person for signature
4. Within 30 days, the Benton County Title VI Coordinator will acknowledge receipt of the allegation, inform the complainant of action taken or proposed action to process the allegation, and advise the complainant of other avenues of redress available, such as ODOT and FTA.
5. If the Complainant is not satisfied with the outcome of the investigation, they may appeal the decision. An appeal may be initiated by advising BAT, or specifically, the Title VI Coordinator in writing or by phone call that an appeal is requested.
6. Any appeal will be heard by Benton County Benton County Public Works Director. The Complainant will be contacted for more information as to why they were not satisfied with the outcome of the Complaint. All evidence will be reviewed by the secondary investigators, and a new decision issued.

7. The recipient will advise ODOT of all allegations. Generally, the following information will be included in every notification to ODOT:
- a. Name, address, and phone number of the complainant.
 - b. Name(s) and address(es) of alleged discriminating official(s).
 - c. Basis of complaint (i.e., race, color, or national origin)
 - d. Date of alleged discriminatory act(s).
 - e. Date of complaint received by the recipient.
 - f. A statement of the complaint.
 - g. Other agencies (state, local or Federal) where the complaint has been filed.
 - h. An explanation of the actions Benton County has taken or proposed to resolve the issue in the complaint.
 - i. Within 90 days of receipt of the complaint, the Benton County Public Works Director will notify the complainant in writing of the final decision reached, including the proposed disposition of the matter. The notification will advise the complainant of his/her appeal rights with ODOT, or FTA, if they are dissatisfied with the final decision rendered by Benton County. The Public Works Director will also provide ODOT and/or FTA with a copy of this decision and summary of findings upon completion of the investigation.
8. In the event the Complainant is not satisfied with the outcome of an appeal, or if he/she wished to file a complaint directly to an outside agency, contacts for the different Title VI administrative jurisdictions are as follows:

Oregon Department of Transportation
Office of Civil Rights
Attn: Intermodal Civil Rights Manager
355 Capitol Street, NE
Salem, OR 97301
503-986-3169

Federal Transit Administration
Office of Civil Rights
Attention: Title VI Program Coordinator
1200 New Jersey Ave.,
SE Washington, DC 20590

FTA Complaint procedures can also be found on the FTA web site at: www.fta.dot.gov. These procedures are also outlined in FTA Circular 4702.1A. Chapter IX. A Complainant has the right to contact these organizations directly; however, Benton County will ultimately be responsible for all initial investigation, as they have the resources and access to interview any involved employees directly.

Attachment C

Benton County ADA & Title VI Complaint Form

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____

Were you discriminated against because of your:

- Race
- Disability
- Color
- Other: _____
- National Origin

Date and Time of Alleged Incident: _____

Explain as clearly as possible what happened and how you were discriminated against. Indicate who was involved and if applicable, the transit route and vehicle. Be sure to include the names and contact information of any witnesses. If more space is needed, please use additional pages.

Attachment D

**BENTON COUNTY
LANGUAGE ACCESS PLAN (LAP) FOR
LIMITED ENGLISH PROFICIENCY RIDERS
AUGUST 17, 2023**

Benton County is required to take responsible steps to ensure meaningful access to the benefits, services, information and other important portions of our programs and activities of individuals who are Limited English Proficient (LEP). Benton County performed a four factor analysis of our contact with the public to determine the appropriate mix of LEP services to offer.

Four Factor Analysis:

Factor 1: The number or proportion of LEP persons in the service area.

Step 1: Prior experience with LEP individuals. Since the 2017 update, our dispatchers have taken less than 10 phone calls from LEP persons which have required the use of an interpreter. Additionally, drivers have reported an insignificant number of LEP persons within the same timeframe.

Step 2: Analysis of Census Data

2023 5-Year American Community Survey (ACS) Data Label	Estimate	%
Total:	90,932	
Speak only English	78,520	
Spanish:	4,460	
Speak English "very well"	3,225	
Speak English less than "very well"	1,235	1.36%
French, Haitian, or Cajun:	692	
Speak English "very well"	638	
Speak English less than "very well"	54	
German or other West Germanic languages:	401	
Speak English "very well"	364	
Speak English less than "very well"	37	
Russian, Polish, or other Slavic languages:	451	
Speak English "very well"	339	

Speak English less than "very well"	112	
Other Indo-European languages:	836	
Speak English "very well"	804	
Speak English less than "very well"	32	
Korean:	966	
Speak English "very well"	504	
Speak English less than "very well"	462	
Chinese (incl. Mandarin, Cantonese):	2,339	
Speak English "very well"	1,013	
Speak English less than "very well"	1,326	1.46%
Vietnamese:	309	
Speak English "very well"	213	
Speak English less than "very well"	96	
Tagalog (incl. Filipino):	235	
Speak English "very well"	227	
Speak English less than "very well"	8	
Other Asian and Pacific Island languages:	962	
Speak English "very well"	517	
Speak English less than "very well"	445	
Arabic:	294	
Speak English "very well"	170	
Speak English less than "very well"	124	
Other and unspecified languages:	467	
Speak English "very well"	258	
Speak English less than "very well"	209	

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The total population of Benton County over this period was 90,932. For each identified language group, the number of speakers of that language who also speak English “less than very well” are highlighted in blue.

Two languages groups in the County had either over 1,000 individuals or 5% of the overall population that speak English less than very well. Those languages are Spanish and Chinese (Mandarin or Cantonese). While Spanish was a threshold language in the most recent Title VI Program, Chinese is a new language group to meet this threshold.

Factor 2: The frequency with which LEP individuals come into contact with the service. Benton County serves LEP persons daily through transit and paratransit services. Since the 2017 Title VI Plan Update, our dispatchers have taken less than 10 phone calls from LEP persons in our area, requiring the use of an interpreter. Additionally, drivers have reported an insignificant number of LEP persons who struggled with English within the same time frame.

Factor 3: The importance of the service to LEP persons. Benton County provides important transit services to the public through its fixed route and demand- response programs. Benton Area Transit provides a link between residential areas, commercial centers, healthcare facilities, educational campuses, and social service offices. Language barriers would most affect users of the demand- response services as reservations for these services are taken via telephone. Demand- response services provide approximately 49% of the total rides provided by Benton Area Transit.

Factor 4: The resources available to the recipient of the federal funds to assure meaningful access to the service by LEP persons. Benton Area Transit currently provides some information in Spanish through bus schedules, the transit website, and information on the buses. Benton County maintains a language services liaison in each department who is fluent in Spanish and other languages, and professional translation services are available if required. BAT also contracts with Linguava to assist LEP individuals with phone inquiries.

As Chinese was a new addition to the LAP plan upon reviewing the most recent Census Data, Benton County is now working to address the needs of Chinese speakers.

Designation of Vital Documents

Given the limited resources of BAT, and the small number of documented instances where language assistance was requested or needed, BAT will limit its designation of Vital Documents to be translated into all threshold languages as the following: Title VI Notice; Combined ADA/Title VI Complaint Form; and the ADA/Title VI Complaint Process.

Processes for providing language assistance services by language:

Based on the four- factor analysis, Benton Area Transit recognizes the need to continue providing language services. A review of Benton County’s relevant programs, activities and services that are being offered by the County as of August, 2023 include:

For Spanish Speakers:

- The transit program uses services provided by Linguava for phone calls taken from LEP individuals
- Spanish speaking translators who work at the County are available upon request during normal business hours
- Community surveys are available in Spanish format

For Chinese Speakers:

- As this is a new threshold language, BAT will work to implement full services for these riders over the next year.
- The transit program has a contract with Linguava for phone calls taken from LEP individuals
- BAT will reach out to the Language Department at Oregon State University to identify local Cantonese or Mandarin speakers who may be able to assist or contract with BAT to provide interpretation or translation services.
- BAT will soon have vital documents translated to Cantonese and/or Mandarin.
- BAT will search for any Chinese affinity groups that may aid in outreach to Cantonese and Mandarin speakers.
- BAT hopes to glean more insight into whether one Chinese language or the other is more prevalent in the area, so we can focus our resources on what is most useful to local riders.

Providing notice to LEP's of language assistance

Notice will be placed on the transit buses, transit website, and on the bus schedules, and brochures announcing the availability of language assistance.

Monitoring, evaluating and updating LEP

Benton County staff will contact the community organizations that serve LEP persons, as well LEP persons themselves, and also perform a four factor analysis every three years to identify what, if any, additional information or activities might better improve transit services to assure non-discriminatory service to LEP persons. Benton County will then evaluate the projected financial and personnel needed to provide the requested services and assess which of these can be provided cost-effectively.

Training Employees

Benton County will train all employees, staff and volunteers to proficiency regarding the need and availability of language assistance to LEP individuals who use the service. Employees will be encouraged to use the services provided when contact with LEP individuals prevents or hinders communication. This training will be provided at least annually.

Attachment E

Notice to the Public

TITLE VI

Benton County operates its programs, including the provision of transit services, without regard to race, color or national origin.

For inquiries about the Benton County's non-discrimination policies, or to file a discrimination complaint, visit our website at RidetheBAT.com, or contact the Title VI Coordinator with Benton Area Transit, 541-766-6700.

El condado de Benton opera sus programas, incluida la prestación de servicios de tránsito, sin distinción de raza, color u origen nacional.

Para consultas sobre las políticas de no discriminación del condado de Benton, o para presentar una queja por discriminación, visite nuestro sitio web en RidetheBAT.com, o comuníquese con el Coordinador del Título VI con Benton Area Transit, 541-766-6700.

本顿县运营其项目，包括提供交通服务，不考虑种族、肤色或国籍。
如需了解本顿县的非歧视政策或提出歧视投诉，请访问我们的网站 RidetheBAT.com，或联系本顿地区交通部门的第六章协调员，电话：541-766-6700。

Běn dùn xiàn yùnyíng qí xiàngmù, bāokuò tígōng jiāotōng fúwù, bù kǎolù zhǒngzú, fūsè huò guójí.

Rú xū liǎojiě běn dùn xiàn de fēi qíshì zhèngcè huò tíchū qíshì tóusù, qǐng fǎngwèn RidetheBAT.Com, huò liánxì běn dùn dìqū jiāotōng bùmén de dì liù zhāng xiétiáo 19uan, diànhuà: 541-766-6700.

本頓縣運營其項目，包括提供交通服務，不考慮種族、膚色或國籍。

如需了解本頓縣的非歧視政策或提出歧視投訴，請訪問我們的網站 RidetheBAT.com，或聯繫本頓地區交通部門的第六章協調員，電話：541-766-6700。