

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

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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.*