



MINUTES OF THE MEETING
BENTON COUNTY BOARD OF COMMISSIONERS
Tuesday, March 5, 2024
9:00 a.m.

Present: **Xanthippe Augerot**, Chair; **Nancy Wyse**, Commissioner; **Pat Malone**, Commissioner; **Vance Croney**, County Counsel; **Rachel McEneny**, County Administrator

Elected Officials: **Jef Van Arsdall**, Sheriff

Staff: **Shannon Bush**, **Darren Nichols**, **Bailey Payne**, **Petra Schuetz**, **Webster Slater**, **Inga Williams**, Community Development; **Rick Crager**, **Gabby Dibble**, **Jo Missler**, Financial Services; **Dawn Dale**, **Bryan Lee**, Sheriff's Office; **Cory Grogan**, Public Information Officer; **April Holland**, Health; **Maura Kwiatkowski**, **Amanda Makepeace**, BOC Staff; **Sean McGuire**, Sustainability; **Erika Milo**, BOC Recorder;

Guests: **Dan Chapel**, **Nancy Chapel**, Cardwell Hill Cellars; **Steve Chase**, Sustainable Materials Management Plan Task Force Chair; **Ken Eklund**, **Kevin Kenaga**, **Debbie Palmer**, **Susan Walenza**, residents; **John Harris**, Horsepower Productions; **Rachael Maddock-Hughes**, Sequoia Consulting; **Micole Olivas-Leyva**, DevNW; **Robert Orton**, Coffin Butte Landfill

1. Opening:
1. Call to Order

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

2. Introductions
3. Announcements

Augerot announced that the meeting could not be streamed on Facebook due to nation-wide outages. The meeting was streamed to YouTube instead. In future, the County will probably shift the livestream to YouTube, because the platform allows more access to more people.

2. Review & Approve Agenda

The following item was removed from the agenda under **8. Old Business:**

8.1 Approval of Revised Disposal Site Advisory Committee (DSAC) Bylaws – Darren Nichols, Community Development

The following item was added to the agenda under **9. Other:**

9.1 Sponsorship for ABC House fundraiser – Xanthippe Augerot, Commissioner

3. Proclamation

3.1 Proclaiming March 2024 as Women's History Month, Proclamation #P2024-003 – Xanthippe Augerot, Board of Commissioners

Augerot read the proclamation aloud. Women's History Month was designated by Congress in 1987 as a time for recognition, reflection, and appreciation of women's achievements in all areas of life.

MOTION: Wyse moved to proclaim March 2024 as Women's History Month, Proclamation #2024-003. Malone seconded the motion, which **carried, 3-0.**

4. Comments from the Public

Dan and Nancy Chapel, City of Philomath residents and owners of Cardwell Hill Cellars winery.

D. Chapel explained that food trucks are often present at winery events. Recently, the Chapels were advised that this is not permitted due to County zoning. The Oregon Liquor Control Commission (OLCC) favors food service being available when wine is served. A number of Benton County wineries are affected by the zoning issue, which impacts winery and food service revenue.

N. Chapel added that she had voiced this concern to James R. Wright, an associate planner in the Planning Commission. Wright assured N. Chapel that a review to authorize approval of placement would cost over \$1,000. N. Chapel informed Wright that Senate Bill (SB) 841, passed in 2017, directly contradicts this rule.

D. Chapel stated that the Chapels will address this issue with OLCC, the City of Corvallis, and the Corvallis Chamber of Commerce. Allowing food trucks within City limits but not in the country is discrimination. The Stoel Rives law firm has a publication addressing this. SB 841 approved the use of temporary food facilities in conjunction with wine tasting and wine events. It is important that Benton County still be considered a good place for the wine industry and wine consumers.

Augerot stated that the Board will look into this issue further with staff. Augerot asked when the County decision was made.

D. Chapel replied that several area wineries were notified in the last few weeks. All were unaware of this aspect of the code.

Robert Orton, Albany resident, Coffin Butte Landfill (CBL) mechanic, raised issues about conditions at CBL. Operator Republic Services (RS) practices environmental and safety violations every day. Orton had sent the Board a video of active gas leaks on the working face of the landfill. The Environmental Protection Agency (EPA) report clearly shows negligence on the part of RS, which is putting the environment, community, and constituents in danger. The Board should address these issues in a meaningful fashion. There is an expansion permit coming up for RS. To not address these issues before approving expansion would be negligence. Orton offered to provide extensive documentation of these issues to the Board.

Susan Walenza, Corvallis resident, commented that CBL now takes in 30% of Oregon's waste. RS wants to enlarge CBL because the Riverbend Landfill in the City of

McMinnville is no longer accepting waste. CBL is in a bad location which is very moist, leading to accelerated decomposition, methane production, and toxic leachate, which are likely to worsen with future expansion. Contaminated soils arrive daily. Many neighbors continue to report noxious odors coming from CBL; many residents filed complaints with the Department of Environmental Quality in February 2024, some of which were forwarded to the Board. Walenza asked if the EPA could measure pollutants above the landfill, as was done at McMinnville. During a 2023 inspection, EPA methane measurements at CBL differed greatly from RS readings. Walenza asked what public input was involved in choosing the consulting firm for the Sustainable Materials Management Plan. Walenza was concerned that the consulting firm would be biased in favor of RS. The Board should be the stewards of the health and welfare of their constituents and the environment.

5. Work Session

5.1 January 2024 Ice Storm After Action Report – Bryan Lee, Emergency Manager, Sheriff's Office; April Holland, Health Services

Lee described Benton County's response to the recent six-day ice storm. The event caused significant outages and impacts around Benton County, particularly in rural areas. There were widespread communications and transportation issues. Most people could not drive due to icy roads, and even first responders had difficulty, which also impacted supply chain lines. Benton's Emergency Operations Center (EOC) was activated at Level 1 Monitor, then Level 2 Partial Activation, with just a handful of EOC team members responding. Staff conducted several coordinating information calls, as well as coordinating public information and creating situation reports. Statewide damages currently total over \$75 million; Oregon is seeking a major disaster declaration from President Joe Biden. Of the community lifelines outlined by the Federal Emergency Management Agency, all except the hazardous material lifeline were severely impacted. The event is another example of the impacts of climate change. The cost of damage in Benton County is estimated at over \$1.82 million (including overtime costs and direct damage to public resources and facilities).

Benton's first responders (Law Enforcement, Emergency Medical Services (EMS), Fire, Public Works) worked 24 hours a day/seven days a week. All Benton water treatment plants had impacts, but were quickly restored or had backups in place. Hundreds of utility crews worked to restore power; most places in Benton were restored fairly quickly compared to other areas of the state. EMS, especially through the Corvallis Fire Department, doubled staffing units to six, which was just barely enough. If the event had lasted longer, there would not have been enough staff. Transportation Search & Rescue teams, mainly volunteers, provided 24/7 coverage for critical staff, particularly driving providers to the hospital and other medical facilities. The teams did 70 critical staff transports.

Under contract to the County, Faith Hope Charity (FHC) provided overflow sheltering for community service providers, with about 60 guests every night of operation. Staff from the Corvallis Daytime Drop-in Center, Community Outreach Incorporated, Community Services Consortium, Unity Shelter, and others helped provide services to unhoused community members. The event was very taxing on those organizations. Public Information shared alerts about road status and general response. Once there was better coordination, staff saw a much better public response to what was happening and what the County was doing. Most EOC members were activated

virtually; staff staged a call center with Community Emergency Response Team (CERT) volunteers, and mass care and sheltering sites were also staged. County Emergency Management worked on information coordination and communication with County departments, the County Administrator, and partner agencies. Staff conducted damage assessment and data collection processes. Staff also coordinated daily with State and regional partners. The Health Department ramped up public information through the Health Communications team; the Street Outreach and Harm Reduction Team (HRT) helped support and shelter the unhoused. The Public Health Emergency Preparedness team and HRT worked on resource distribution. There was a great deal of communication and coordination directly with health providers. Much critical support was provided to clients, including some Behavioral Health (BH) and Community Health Center (CHC) clients who needed medications delivered. There is room to improve that service, but this was a huge need and many Health Department staff went above and beyond to take care of their clients.

One of the biggest areas of after-action improvements was daytime warming for the unhoused; County and City facilities closed due to lack of transportation and staff, which greatly strained community service providers. County staff have met with providers. Staff were barely able to support BH and CHC populations; had this event lasted longer, much more coordination would have been needed. There was not a clean process to coordinate medication delivery requests. Hospitals struggled to decompress because released patients could not drive home. The Emergency Room was very full throughout, with ambulances often waiting to unload patients. Another major concern is that if the County had needed to provide sheltering services for vulnerable or general populations due to weather-related emergencies, staff would probably not have been able to do so, or not for very long. Staff are examining additional plans, resources, agreements, and coordination for future emergencies. Rural warming centers needed additional staff, especially in the City of Monroe. Corvallis Transit and Benton Area Transit (BAT) were closed, so there was limited transportation for lower-income individuals and access functional needs (such as health appointments, medications and groceries). Staff are working with BAT and Dial-a-Bus on future solutions. Another concern is that some personal vehicles were used for County business, which could cause additional liability.

Lee identified major issues with responses to the emergency:

- Operational coordination: coordination between first responders, Public Works, and utilities was effective enough, but not as coordinated as it could be. Suggestion: meet for a more coordinated briefing during emergencies. Coordination of resources and requests: requests were not as centralized as staff would prefer.
- Public Information: there was a lack of update on road closures and conditions; community members expressed concern that they wanted more information. County and Corvallis closures and service impacts on the public and internal operations were a big area of concern.
- Resource availability and readiness: the County has vehicles, personnel, and transportation, but making sure that is all inventoried, coordinated, and ready to respond is a different aspect of the problem.
- Mass Care/Sheltering: the County would need additional resources to handle expanded sheltering. This is captured in plans, but is only one piece of operationalizing the plan. Staff decided to do daily coordination calls and continue situation reports and data collection.

Solutions include:

- Developing a new resource request process. One approach is to stand up a Health Department Operations Center (DOC) to coordinate directly with community service providers and EOC staff (if activated). This incident was not big enough to require full activation.
- More robust planning activities on transportation and mass care and sheltering during ice storms.
- Public Information staff have already implemented some suggested improvements. Public Works is working to manage road conditions and closures, particularly after business hours and on weekends.
- County/City closures and service impacts: Lee is working with Human Resources and discussing an opt-in system for staff, and communicating staff changes to the public.
- Improving the County's Continuity of Operations Plan (COOP); staff will go to each department to ensure everyone knows their role.
- Resource availability and readiness: staff are surveying Fleet resources and will develop resource lists for each department, so the County can do pre-staging, pre-incident provider outreach, and outreach to community partners, city managers, and others. Staff must determine how to have Fleet resources available and drivers with associated training.
- Mass Care/Sheltering: more planning, working on volunteer and employee coordination with the COOP. If services are suspended, how can those personnel be reallocated to support sheltering? There needs to be more facility identification and Memoranda of Understanding ready to use when needed.

Lee wants to further explore roles and responsibilities, particularly with Public Health, Emergency Management, Corvallis and cities in general, and community service providers. Everyone needs to identify gaps so partners can support each other. Lee will resume Pre-planning meetings (at least in summer and winter) and make them more comprehensive, with more preparedness tips, training, and outreach, creating a pathway for resource needs and questions, and discussing the COOP. Staff will work on resource coordination, mainly through a Health DOC, with at least a lead point of contact for resource requests. Staff began discussions with Corvallis and other cities about community facilities access during emergencies. The biggest takeaway is that if the County cannot mobilize staff to carry out these plans, there will be more problems.

Holland shared that weather on February 17, 2024 did not meet activation criteria, but McEneny allowed the County to still provide services. FHC served over 150 people; 72 received a hotel bed, including nine children. The congregate setting was full at 25 people every night, and Corvallis Daytime Drop-in Center moved to the First Christian Church congregate site to provide daytime warming, which was utilized by 100 people. FHC surveyed 147 respondents, of whom about 40% reported being medically fragile, 65% had a mental health diagnosis or concern, 52% had substance use issues, and 40% were connected to behavioral health or substance use disorder treatment or services. One hundred and fifty people responded to "Where did you sleep last night:" 75% (113 people) said they slept outside, about 20% in a vehicle, and four were in the hospital. When asked, "Where was your last stable housing location," 71% replied Corvallis, 20% elsewhere in Oregon, and 12 outside of Oregon.

Holland shared that on February 6, 2024, staff held a listening session to hear experiences of community homeless services providers. The County wants to ensure a central point of two-way communications, so resource requests and information get to the right person, rather than piecemeal sharing. Staff are working on alternatives to daytime warming facilities in case of closure, ideally a location to shelter in place, such as a commercial kitchen. Staff want to ensure that service providers are invited to the larger sheltering plan kick-off sessions. There needs to be more shelter planning, including trauma-informed crisis response planning for providers. There will not be a multi-person DOC for every cold weather event; FHC is ramping up services for tonight and possibly tomorrow, but Health will ensure there is a point of contact. Any time there is closure of standard services, staff will have an open door with several briefings per day and regular check-ins.

Augerot asked if the criteria for activating a Health DOC might include whether local government sources are closed.

Holland answered probably. Regardless of DOC activation, staff will ensure that the homeless community is given a point of contact during an event; when there are extended operations or closure, Health will activate a DOC.

Augerot noted that the major shutdown of transportation in this event shows a lot of weaknesses in the delivery of food, medications, and staff. With every event, the community learns more about the fragile points in its systems, and gets closer to a robust enough system that people do not fall through the cracks. This event was a huge strain on many people, especially the unhoused and service providers, so the County can do better.

Wyse praised the work during the storm and afterwards, as partners identify the lessons learned. Wyse asked Holland to provide an outline of the numbers presented.

Malone asked how the County could do better on transportation challenges.

Lee replied, by planning ahead; households should have vehicle chains and home supplies for a minimum of two weeks of sheltering. For local government, one step will be ensuring there are Fleet resources and staff training. Even a few vehicles with chains running throughout the day to deliver medications and staff to critical areas would be a huge help.

Malone shared that the Department of Forestry has a list of resources, helicopters, trucks, and personnel that are ready to go as needed; it sounds like the County needs to create a similar mutual aid list, looking outside the area to bring in resources identified in advance. For instance, during this event, City of Albany vehicles filled in for medical transport.

Lee agreed there are some mutual aid lists, but chains were not listed; chains have now been added. Utilities repair technicians came from all over, including neighboring states. Corvallis Fire Department's pre-staging was a key piece and hopefully will continue. There were alarming similarities between this event and the early stage of the pandemic; some aspects worked great; other aspects, staff were not prepared for, such as knowing which vehicles had chains and who could drive in that situation. Staff are also examining the recently approved Natural Hazard Mitigation Plan. It is very

challenging to figure out when to activate an EOC or DOC; staff are trying to develop a guiding document for both.

Augerot asked whether Lee would have activated an EOC earlier in this event, given the chance.

Lee replied possibly, but the drawback is convincing clients to come to a stable facility for up to six days, and providing them with support. In future, staff would probably activate earlier; Lee would have had a slightly more robust virtual activation at a minimum, but if internet goes down, there are other problems. It would be a challenge to support the County's EOC staff and those in the field.

6. Consent Calendar

6.1 Application for New Outlet, Distillery Primary Location and Limited On-premises for Aaron Tull dba Aaron's Home Spirits

6.2 Approval of the January 2, 2024 Tuesday Board Meeting Minutes

MOTION: Wyse moved to approve the Consent Calendar of March 5, 2024. Malone seconded the motion, which **carried, 3-0.**

Augerot recessed the meeting at 10:03 a.m. and reconvened at 10:11 a.m.

7. Public Hearing

PH 1 In the Matter of a Second Public Hearing Regarding a Community Development Block Grant (CDBG): Rental and Housing COVID-19 Emergency Project – Rick Crager, Financial Services; Rachael Maddock-Hughes, Rural Prosperity Partners

Chair Augerot opened the Public Hearing at 11:00 a.m.

Staff Report

Maddock-Hughes noted two corrections in the Public Hearing notice, first paragraph: the grant was used in Benton and Linn Counties, and the grant served 132 low- or moderate-income families, not 140 people. Maddock-Hughes read the proclamation aloud in English.

Makepeace read the proclamation aloud in Spanish.

Maddock-Hughes shared that CDBGs remains a good funding source for community projects including facilities such as homeless shelters and senior services. The next round of funding opens in July 2024. All but \$25 of the \$485,000 grant was spent; \$400,000 went directly to rental assistance (\$349,092), mortgage assistance (\$29,314), and utility assistance (\$21,594); \$50,000 went to DevNW for program coordination, and \$35,000 went to Rural Prosperity Partners for administration. Of the families served, 110 were in Benton County and 22 in Linn. Initially, DevNW struggled to expend all funds within the deadline, so the grant was extended to Linn via Business Oregon.

Olivas-Leyva added that this aid was very meaningful for families, especially those facing eviction. DevNW was able to issue funds quickly and prevent evictions, utilities shutoffs, and a mortgage foreclosure.

Maddock-Hughes noted that many of the families had elderly heads of household. This funding came when much of COVID-19 emergency funding had ended.

Public Comment

No comments were offered.

Chair Augerot closed the Public Hearing at 11:11 a.m.

Augerot thanked Maddock-Hughes and Rural Prosperity Partners for bringing these opportunities to the County during the pandemic, Benton had not applied for a while due to the onerous Housing and Urban Development process, but has now been able to put over \$1 million into the community at a needed time. Leadership will look at future opportunities, weighing staff workload and community benefit.

Responding to a question from Malone, Maddock-Hughes replied this was a one-time COVID-19 program, but other grants are available, such as Community Facilities.

Malone suggested a discussion of the pros and cons of continuing to apply for CDBGs.

Augerot concurred. Part of the problem is the geographic location limitations for some funding.

MOTION: Wyse moved to approve the report as presented. Malone seconded the motion, which **carried 3-0.**

8. Old Business

8.1 Approval of Revised Disposal Site Advisory Committee (DSAC) Bylaws – *Darren Nichols, Community Development*

This item was removed from the agenda due to an error in the redline comparison documents in the published packet. The item will be heard at the March 19, 2024 Board Meeting so that all can review a corrected version.

8.2 Recommendation for Selection of Sustainable Materials Management Plan (SMMP) Consultant – *Darren Nichols, Community Development; Gabby Dibble, Financial Services; Steve Chase, SMMP Task Force Chair*

Nichols shared that today marks an important milestone, the results of unprecedented community collaboration on a complex issue: what to do with increasing amounts of waste materials. Nichols reviewed the activities of the 2022-23 Benton County Talks Trash (BCTT) Work Group, which produced a final report with recommendations and findings for the Board in April 2024. On June 13, 2023 the Board reviewed and accepted the report. In June-August 2023, the Board appointed an ad hoc committee of community members to develop a draft Request for Proposals (RFP), soliciting consultants to help develop a modern, regional SMMP for Benton County and western Oregon. This additional step to include public participation and transparency in RFP development resulted in a quality RFP. Four teams responded in November 2023. The

Board appointed Chase as Chair of the community Task Force and advisor to the Board. Finance handled proposal review; Nichols reviewed only the aggregated scores. Nichols hoped to return to the Board on March 19, 2024 with a timeline and charter for the project, at least through 2024.

Dibble described the County's typical RFP process (Benton County Code Chapter 2. The RFP is publicly advertised. Proposals are scored by an evaluation committee selected by the department head conducting the procurement. Once the award is determined by the team, an Intent to Award letter is sent to the vendor. There is a 14-day waiting period so protests or appeals can be submitted. Then the contract may be fully executed, and work may begin. Once awarded, RFP proposals and scoring become public unless marked confidential by the proposers. This RFP was not standard, containing contributions from BCTT and the SMMP Task Force, which consists of multiple organizations, businesses, agencies, and individuals. Also, much of the process was made public, including a question-and-answer session with the proposers. The County interviewed each firm, which was also public and recorded. The evaluation committee consisted of former Solid Waste Coordinator Daniel Redick, Bush, Dibble, McGuire, Sarah Siddiqui (Health Equity, Diversity, & Inclusion Coordinator), Mac Gillespie (Health), and John Deuel (former Oregon State University recycling coordinator, OSU liaison). Chase, who was on the evaluation team but not involved in scoring, signed a confidentiality/conflict of interest form, then reviewed the aggregate scores and top two scoring proposals to see if they would support the development of an SMMP in conjunction with the County and the Task Force. Only the scoring team saw all four proposals. The Task Force was refined and prepared over several months.

Chase described the evolution of recycling. Although various manufacturers use recycled materials as raw ingredients, source reduction at the top of an integrated waste management scale has not been adopted. Infrastructure is wearing out. A first step is to create a baseline of existing and proposed facilities in western Oregon. Bringing on a consultant today will deliver that road map. The team will also look at the environmental footprint of desired facilities and create a regional forum. Counties, the State, and for-profit or non-profit organizations and individuals will address facilities, infrastructure, and emerging technology, tying into economic development plans for business startups and job creation. The work of the Task Force should be transformative, leading to legislative action and rule-making and providing leverage in hauling agreements. Chase described his family and professional background with the Office of Environmental Quality in the City of Santa Barbara, California, and other environmental work in Ventura County, California. Chase stated he is experienced at environmental resource management.

Nichols added that once the Board approves the Notice of Intent, the proposals can be made public.

MOTION: Wyse moved to authorize staff to issue a Notice of Intent to award a contract under the Sustainable Materials Management Plan Request for Proposals and direct staff to begin negotiating with the top-scoring proposer to develop a revised final scope of work and contract consistent with the RFP and Benton County Code Chapter 2. Malone seconded the motion, which **carried, 3-0.**

9. Other

9.1 Sponsorship for ABC House fundraiser – Xanthippe Augerot, Commissioner

Augerot brought up a request from ABC House, a children's advocacy center for Benton and Lincoln counties, that the County purchase a table for \$750 (the cost rose \$50 due to a menu change). The Board has supported ABC House for at least eight years as a key resources for care of children who have been sexually abused and their families.

MOTION: Malone moved to authorize \$750 to support ABC House's annual fundraiser. Wyse seconded the motion, which **carried, 3-0.**

Wyse requested an opportunity for all three Commissioners to discuss who will be at that table. Wyse felt that the similar decision about the Celebrate Corvallis fundraiser was not handled in the best way, as Wyse did not get an opportunity to bring a guest.

Augerot indicated willingness to discuss the matter.

In response to earlier public comments, Wyse noted that she is happy to meet with any constituents, such as over coffee or through a telephone call.

Chair Augerot recessed the meeting at 10:41 a.m. and reconvened at 11:00 a.m. with item PH 1.

10. Executive Session

Chair Augerot adjourned the regular Board Meeting at 11:14 a.m. and opened Executive Session under ORS 192.660[2][d] at 11:16 a.m.

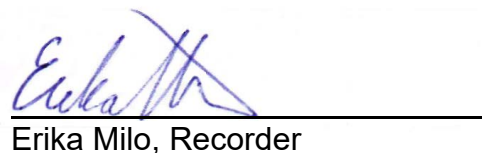
Chair Augerot exited Executive Session at 11:51 a.m. and immediately resumed the regular Board Meeting.

11. Adjournment

Chair Augerot adjourned the meeting at 11:51 a.m.



Xanthippe Augerot, Chair



Erika Milo, Recorder

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